
Eastside Road Storage Project Final Supplemental Environmental Impact Report

SCH # 2007112013

Prepared for
Town of Windsor, California

October 2008

CH2MHILL
155 Grand Avenue, Suite 1000
Oakland, CA 94612

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Acronyms & Abbreviations

BAAQMD	Bay Area Air Quality Management District
BMP	best management practice
CDFG	California Department of Fish and Game
CEQA	California Environmental Quality Act
CWA	Clean Water Act
dba	A-weighted decibels
DSOD	California Department of Water Resources, Division of Safety of Dams
EIR	Environmental Impact Report
ERSP	Eastside Road Storage Project
ESA	Environmental Science Associates, Inc.
HEA	Habitat Equivalency Analysis
LSAA	Lake and Streambed Alteration Agreement
NOD	Notice of Determination
NOP	Notice of Preparation; National Organic Program
NO _x	nitrogen oxide
NPDES	National Pollutant Discharge Elimination System
OEHHA	Office of Environmental Health Hazard Assessment
PM _{2.5}	particulate matter less than 2.5 microns in aerodynamic diameter
PM ₁₀	particulate matter less than 10 microns in aerodynamic diameter
PRMD	Permit and Resource Management Department
Project	the Eastside Road Storage Project
QA/QC	quality assurance/quality control
ROG	reactive organic gas
RWQCB	North Coast Regional Water Quality Control Board
SCLT	Sonoma County Land Trust
SCWA	Sonoma County Water Agency
SEIR	Supplemental Environmental Impact Report
SWRCB	State Water Resources Control Board
TDS	total dissolved solids
USACE	United States Army Corps of Engineers
USDA	United States Department of Agriculture
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey

Introduction

The complete Supplemental Environmental Impact Report (SEIR) for the Eastside Road Storage Project (ERSP, or the Project) consists of the following:

- The *Eastside Road Storage Project Draft Supplemental Environmental Impact Report* (Draft SEIR), Volumes I and II, State Clearinghouse Number 2007112013, dated May 2008, prepared for the Town of Windsor, California (the Town) (CH2M HILL, 2008a)
- The comments, responses to comments, and revisions to the Draft SEIR contained in this document, the *Eastside Road Storage Project Final Supplemental Environmental Impact Report* (Final SEIR)

This SEIR supplements the prior EIR prepared for this Project, the *Town of Windsor Water Reclamation Master Plan for Treatment, Storage and Disposal EIR* (Master Plan EIR) (ESA, 2001), in accordance with Sections 15162 and 15163 of the California Environmental Quality Act (CEQA) Guidelines. It contains only the information necessary to make the previous EIR adequate for the Project as revised.

1.1 CEQA Process Overview

The following subsections outline the environmental review process for this document and summarize the Project's environmental compliance.

1.1.1 Notice of Preparation and Scoping

On November 1, 2007, the Town issued a Notice of Preparation (NOP) that an SEIR would be prepared for the Project. The NOP was submitted to the State Clearinghouse, responsible and interested agencies, and interested members of the public. The purpose of the NOP was to allow for concerns and comments to be received regarding the scope and content of the SEIR. Written comments were accepted through December 6, 2007. In addition, a public scoping meeting was held on November 28, 2007 at the Town Council Chambers in Windsor where oral comments were received.

1.1.2 Draft SEIR Circulation

The Draft SEIR was prepared based on input received during scoping. The Draft SEIR was circulated for review by the public and agencies for 45 days. The 45-day comment period ran from May 22 through July 7, 2008; written comments postmarked by July 7, 2008 were accepted. A public hearing to take oral comments was held on June 18, 2008.

1.1.3 Final SEIR Process and Project Action

This Final SEIR includes responses to the comments received on the Draft SEIR as well as additional information that is intended to clarify and expand the information in the Draft SEIR. Based on a careful review of the comments received on the Draft SEIR, the responses

to the comments, and the additional information provided in this Final SEIR, recirculation of the document for additional public review and comment is not required.

Section 15088.5 of the CEQA Guidelines governs recirculation of a Draft EIR prior to certification. Recirculation is only required when “significant new information” is included in the Final EIR, such as information showing that:

1. A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented; or
2. A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted to reduce the impact to a level of insignificance; or
3. A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project’s proponents decline to adopt it.

Because the Final SEIR does not identify any new significant environmental impacts from the Project or from a new mitigation measure and does not identify a substantial increase in the severity of an environmental impact over that described in the Draft SEIR, the grounds for recirculation have not been met.

The Town will review the SEIR for adequacy and consider it for certification pursuant to the requirements of Section 15090 of the CEQA Guidelines. Then the Town will consider whether or not to approve the Project. In conjunction with any such approval, the Town will (1) adopt appropriate findings regarding the significant environmental effects identified in the SEIR, the availability of feasible alternatives and mitigation measures to reduce or avoid significant environmental effects, and other matters pursuant to Public Resources Code Sections 21002, 21002.1, 21081, and 21081.5 and CEQA Guidelines Sections 15002, 15021, 15064, and 15091; (2) adopt a statement of overriding considerations pursuant to Public Resources Code Sections 21002 and 21081 and CEQA Guidelines Section 15093; and (3) adopt a Mitigation Monitoring and Reporting Program pursuant to Public Resources Section 21081.6 and CEQA Guidelines Sections 15091 and 15097. After any Project approval, the Town will file a Notice of Determination (NOD) with the County Clerk and State Clearinghouse pursuant to CEQA Guidelines Section 15094.

1.2 Organization of the Final SEIR

1.2.1 Report Contents

This Final SEIR includes the required contents per CEQA Guidelines Section 15132 and is organized as follows:

- Chapter 1, Introduction
- Chapter 2, Responses to Comments
- Chapter 3, Revisions to the Draft SEIR
- Chapter 4, References

1.2.2 Responses to Comments

Chapter 2 includes a complete copy of all written comment letters received during the public comment period, as well as a transcript of oral comments from the public hearing. The letters are reproduced in Chapter 2, and the individual comments within each letter are delineated and assigned unique comment numbers in the document margins. Responses to the comments, numbered to correspond to the comment numbers, are presented on the pages following each comment letter.

1.2.3 Revisions to the Draft SEIR

Chapter 3 of this Final SEIR contains revisions to the Draft SEIR based on the public review. The revisions are shown in strikethrough text (for deletions) and underline (for new text) in the revised passages from the Draft SEIR. Overall, the revisions represent minor modifications and clarifications to the text of the Draft SEIR.

Responses to Comments

The Draft SEIR for the Eastside Road Storage Project was circulated for review by the public and agencies for 45 days. The 45-day comment period ran from May 22 through July 7, 2008. Seven comment letters were submitted during this review period. In addition, a public hearing was held on June 18, 2008 to receive oral comments from members of the public.

This chapter contains copies of all the comment letters on the Draft SEIR received during the comment period, presented in alphabetical order by name of the commentor. Individual comments within the letters and transcript have been delineated and assigned comment numbers, and responses to each comment are provided immediately following each individual letter.

The organizations and individuals who submitted comment letters are listed below. Copies of the letters and of the public hearing transcript are presented in the following subsections:

- 2.1 California Department of Fish and Game
- 2.2 Lantz Associates
- 2.3 James McDonough
- 2.4 Native American Heritage Commission
- 2.5 North Coast Regional Water Quality Control Board
- 2.6 Permit and Resource Management Department, County of Sonoma
- 2.7 State Water Resources Control Board
- 2.8 Oral Comments Received During Public Hearing

2.1 California Department of Fish and Game



State of California – The Resources Agency
 DEPARTMENT OF FISH AND GAME
<http://www.dfg.ca.gov>

ARNOLD SCHWARZENEGGER, Governor

POST OFFICE BOX 47
 YOUNTVILLE, CALIFORNIA 94599
 (707) 944-5500



July 9, 2008

Mr. Craig Scott
 Town of Windsor
 Public Works Department
 8400 Windsor Road
 Windsor, CA 95492
cscott@townofwindsor.com

Dear Mr. Scott:

Subject: Comments on the Draft Supplemental Environmental Impact Report
 (Draft SEIR) for the Eastside Road Storage Project (ERSP),
 SCH #2007112013, Town of Windsor, Sonoma County

The Department of Fish and Game (DFG) has reviewed the above referenced project. The Town of Windsor (Town) proposes to construct a storage pond with a capacity of approximately 215 million gallons of storage, an onsite pump station, and approximately one-half mile of new pipeline along Eastside Road and Trenton Healdsburg Road to connect to the existing recycled water distribution system. The purpose of the ERSP is to provide the Town with additional recycled water storage to meet current and future operational requirements of the Town's recycled water system, and to supplement the *Water Reclamation Master Plan for Treatment, Storage, and Disposal Environmental Impact Report* (Master EIR), certified by the Town on February 2, 2007 (SCH #199112034). The Project is located on a 168-acre Town owned property, APN 066-230-067, along Eastside Road.

DFG is providing comments on the draft SEIR as both a trustee agency and a responsible agency under the California Environmental Quality Act (CEQA). As trustee for the State's fish and wildlife resources, DFG has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and the habitat necessary for biologically sustainable populations of such species. DFG may also be a responsible agency for a project affecting biological resources where we will exercise our discretion after the lead agency to approve or carry out a proposed project or some facet thereof.

Impacts 3.2-3, 3.2-4 and Mitigation Measures 3.2-3a, 3.2-3b, 3.2-4

1-1

The draft SEIR identifies that construction of the storage pond would result in the permanent fill of approximately 3,529 linear feet of intermittent drainage in addition to 100 feet of the Eastside Road roadside drainage. DFG is concerned with the significant impacts the creation of the reservoir will have on these intermittent watercourses. DFG advises the Town to consult with the State Water Resources Control Board regarding the need to apply for a water rights application.

Conserving California's Wildlife Since 1870



Mr. Craig Scott
 July 9, 2008
 Page 2

1-2 Several unnamed intermittent watercourses will be impacted by this project. For any activity that will divert or obstruct the natural flow, or change the bed, channel, or bank (which may include associated riparian resources) of streams, DFG may require a Lake and Streambed Alteration Agreement (LSAA), pursuant to Section 1600 et seq. of the Fish and Game Code, with the applicant. Issuance of an LSAA is subject to CEQA. DFG, as a responsible agency under CEQA, will consider the CEQA document for the project. The CEQA document should fully identify the potential impacts to the stream or riparian resources and provide adequate avoidance, mitigation, monitoring and reporting commitments for completion of the agreement. To obtain information about the LSAA notification process, please access our website at <http://www.dfg.ca.gov/habcon/1600/index.html>; or to request a notification package, contact the Lake and Streambed Alteration Program at (707) 944-5520.

1-3 DFG recommends early consultation with the resource agencies during the permitting process to determine appropriate mitigation measures that meet the requirements of DFG. The draft EIR identifies (Section 3.2 Biological Resources, pg. 3-35) several other locations for stream habitat enhancement.

Impact 3.2-1 and Mitigation Measures 3.2-1c, 3.2-1d

The proposed project includes the removal of approximately 28 acres of mixed-oak woodland and approximately 2,200 protected trees. Mitigation measures include the preservation in perpetuity of approximately 82 acres of mixed-oak woodland as well as replanting in some construction areas to offset the removal of the 28 acres of mixed-oak woodland.


1-4 DFG advises the Town to consult with the Sonoma County Land Trust (SCLT) regarding a meeting to discuss the holding of a conservation easement over the 82 acres of mitigated oak woodland to ensure that the mitigation site is preserved in perpetuity. Please contact Ms. Wendy Elliot, SCLT, at (707) 526-6930 ext. 103 for further coordination on recording a conservation easement with SCLT. DFG and SCLT will work with the Town in developing an acceptable conservation easement, management plan, and management plan endowment for the proposed 82-acre oak woodland preserve.

1-5 To avoid violation of Fish and Game Code sections 3503, 3503.5, and 3513, no trees shall be disturbed that contain active bird nests until all eggs have hatched and young birds have fledged. To avoid potential impact to tree nesting birds, tree and shrub removal should be conducted during the time period of August 15 to February 15. Trees may be removed between February 15 and August 15 provided the Town has a qualified biologist survey the proposed work area to verify the presence or absence of nesting birds. The detailed survey shall be submitted to DFG for review and comment prior to commencement of tree removal. The Town is advised that the U. S. Fish and Wildlife Service (USFWS) regulates activities that may be covered under the Migratory Bird Treaty Act. The Operator is advised to contact the USFWS prior to removing trees with active nesting.

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Page 3

If you have any questions or comments regarding this letter, please contact Mr. Patrick Moeszinger, Environmental Scientist, at (707) 944-5596; or Mr. Liam Davis, Habitat Conservation Supervisor, at (707) 944-5529.

Sincerely,


for Charles Armor
Regional Manager
Bay Delta Region

cc: State Clearinghouse

Ms. Wendy Elliot
Sonoma County Land Trust
966 Sonoma Avenue
Santa Rosa, CA 95404

Mr. Steven Bargsten
California Regional Water Quality Control Board
North Coast Region
5550 Skylane Boulevard, Suite A
Santa Rosa, CA 95403

Mr. Vincent Griego
U. S. Fish and Wildlife Service
Coast Bay Delta Branch
2800 Cottage Way, Room W-2605
Sacramento, CA 95825

Mr. Philip Shannin
U. S. Army Corps of Engineers
San Francisco District
1455 Market Street
San Francisco, CA 94103-1398

State Water Resources Control Board
1001 I Street
Sacramento, CA 95814

Response to Comment 1-1

Comment regarding proposed fill of intermittent and roadside drainage is noted. The Town shares the California Department of Fish and Game's (CDFG's) concern and has identified related impacts as potentially significant in the Draft SEIR (see p. 3-31 through 3-35). Extensive and detailed mitigation is also provided to reduce the impacts to less than significant. (See also Response to Comment 1-2.) As a result of CDFG suggestion, Town representatives consulted with the State Water Resources Control Board (SWRCB) regarding the need for a water rights application. See also Response to Comment 7-1.

Response to Comment 1-2

The Draft SEIR acknowledges that a Lake and Streambed Alteration Agreement (LSAA) may be required and that issuance of an LSAA is subject to CEQA. The SEIR provides sufficient information under CEQA for CDFG, as a Responsible Agency, to issue an LSAA for the Project (see, e.g., pp. v, 2-11, 3-9, and 3-33 of the Draft SEIR).

The Draft SEIR fully identifies impacts related to intermittent watercourses that would result from the Project (see pp. 3-31 through 3-33 of the Draft SEIR). Avoidance and mitigation measures are also addressed in the Draft SEIR (see pp. 3-32 through 3-35 of the Draft SEIR) and will be included in any Mitigation Monitoring and Reporting Program. Town representatives met with Bill Cox/CDFG at the Project site on July 18, 2007 and December 14, 2007, and have had numerous phone conversations with CDFG staff concerning potential impacts and mitigation.

Response to Comment 1-3

As stated in Response to Comment 1-2, Town representatives have been in consultation with CDFG since the summer of 2007. Consultation has included two site meetings and numerous phone calls to discuss potential impacts and mitigation to biological resources, including oak woodlands and watercourses. Mitigation for impacts to watercourses is discussed in Mitigation Measure 3.2-4 in the Draft SEIR, including mitigation in the form of stream habitat enhancement. The Town will continue to consult with CDFG and other regulatory agencies to refine appropriate mitigation implementation as discussed in Mitigation Measure 3.2-4 (see pp. 3-33 of the Draft SEIR).

Response to Comment 1-4

As set forth in Mitigation Measure 3.2-1d in the Draft SEIR, the Town intends to protect lands set aside for oak woodland preservation with a conservation easement or other tool for ensuring that preservation is in perpetuity. The Town has had discussions with various agencies, including the Sonoma County Agricultural Preservation and Open Space District (SCAPOS) and CDFG, regarding a conservation easement for the property and appreciates the commentor providing contact information for the Sonoma County Land Trust. The Town intends to prepare and implement a management plan for the preserved property

that will include a financing component such as an endowment or other similar mechanism for long-term management.

(See Mitigation Measure 3.2.1c regarding preparation of an Oak Woodland Mitigation and Monitoring Plan, Draft SEIR p. 3-28; see also p. 2-10).

Response to Comment 1-5

Master Plan EIR Mitigation Measure 4.4.3, which provides mitigation to address impacts to nesting birds and bats, is still in effect and continues to apply to the Project. This mitigation measure (below) addresses the commentor's recommendations:

Measure 4.4.3: For all Storage Ponds and Irrigation Infrastructure, the following measure shall be implemented to reduce potential impacts to breeding bats and nesting raptors and passerine birds within the construction vicinity.

- To the extent feasible, construction activities, including tree removal, should be scheduled to occur outside of the breeding season (March 1 through September 30). If construction is to occur during the breeding season, a general pre-construction survey for identified special-status bats and protected raptors, passerines and their nests within the proposed construction area should be conducted by a qualified biologist prior to construction to verify species absence. If the survey indicates the potential presence of nesting raptors or passerines, or breeding bats, the results should be coordinated with the Region 3 office of the CDFG. Construction activities should observe the recommended CDFG avoidance guidelines, which include at the minimum, a 500-foot buffer zone surrounding active raptor nests and at least a 250-foot buffer zone surrounding nests of other birds. Construction activities would observe buffer zones of at least 100 feet from active bat roosts during the breeding season. If construction activities occur only during the non-breeding season between August 1 and February 28, no pre-construction surveys would be required. (Master Plan EIR Responses to Comments, p. 3-6.)

This mitigation measure will protect active bird nests consistent with Fish and Game Code sections 3503, 3503.5, and 3513. The Town will coordinate with CDFG and the U.S. Fish and Wildlife Service (USFWS) to confirm the appropriate nesting season schedule prior to construction. As indicated in Draft SEIR Section 2.4.5, tree removal would take about two months and is tentatively scheduled to start in August 2010.

2.2 Lantz Associates

LANTZ ASSOCIATES
 P.O. DRAWER 500
 FULTON, CALIFORNIA 95439
 (707) 548-7654
dlantz@SoftHome.net

RECEIVED
JUN 19 2008
TOWN OF WINDSOR

Craig Scott
 Town of Windsor
 P.O. Box 100
 Windsor CA 95492-1000

16 JUN 2008

Re: ERSP and APN# 110 210 012

Dear Mr. Scott:

2-1

As we have heard no response from you to our original message on the above subject, we take this opportunity to inquire and to send another copy, attached. We realize that the nature of the topic does not necessarily require your agreement or otherwise, and have no way of knowing to whom it would be referred within or for the Town of Windsor. Nevertheless, while the delay in no way bothers us, we would appreciate acknowledgment that the letter has been received.

Very Truly Yours,



Dennis E. Lantz, Eastside Project Manager

cc: Brian Barbuto

LANTZ ASSOCIATES

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FULTON, CALIFORNIA 95439
(707) 548-7654
dlantz@SoftHome.net

Craig Scott
Town of Windsor
P.O. Box 100
Windsor CA 95492-1000

14 APR 2008

Re: ERSP and APN# 110 210 012

Dear Mr. Scott:

2-2 [Probably the first and most important comment which we can make concerning your proposed Eastside Road Storage Project (ERSP) is that soliciting our position on it would have been far more appropriate if done in a more timely manner. As you should be aware, not only do we hold the property which is much the most likely to be adversely affected by the project, but we were never advised of your intent until you seem to consider the project a "done deal". This timing certainly raises questions.

At this point, the rather simplistic three-question inquiry concerning your proposed ERSP is woefully inadequate to address the problem. Because of the serious and permanent nature of potential damage to our property resulting from the ERSP, we have taken the precaution of obtaining a professional opinion from a consulting water geologist of long experience in the area.

2-3 [In brief, with the project being not only in the Russian River Valley, but exceedingly close to it, any natural water flow from the project, surface or subsurface, will proceed quite directly toward the river. [The nature of such a plume, and the adjacent geology, is such that contamination would expand outward and downward, and pollute the existing and planned domestic water supplies for our property.] 2-4

2-5 [Accordingly, please consider this to be formal legal notice that we object to the project for reasons of health and safety, as well as present and future economic loss. Should the Town of Windsor succeed in proceeding with the ERSP, despite the formal objection of ourselves and others, based in part upon professional geologic advice, you will be held liable for all present and future resulting losses and costs to us and to all successors in interest.

Very Truly Yours,



Dennis E. Lantz, Eastside Project Manager

cc: Brian Barbuto

Response to Comment 2-1

This letter was received on June 19, 2008 during the 45-day public comment period on the Draft SEIR. The Town has no record of receiving the enclosed and referenced letter dated April 14, 2008 and is therefore addressing the entire contents of the April letter as if it were submitted during the public comment period. The responses of the Town to the environmental issues raised in the April letter are provided in Responses to Comments 2-2 through 2-5 below.

Response to Comment 2-2

The Project has a long history of planning and public involvement, and is not a “done deal.” The Windsor Water District acquired the Project parcel in 1991 as a potential reclaimed water storage reservoir site because the topography of the parcel is suited to the construction of up to two storage ponds. The parcel is also well situated relative to the location of many of the Town’s irrigation customers, the recycled water pipeline, and the Town’s discharge facilities at Mark West Creek (see p. 5 of Draft SEIR Appendix J, Preliminary Analysis Report).

The development and approval (between 1996 and 2001) of the *Town of Windsor Water Reclamation Master Plan for Treatment, Storage, and Disposal* (Master Plan) (Brelje & Race, 2001) and its associated EIR (ESA, 2001) are described in Section 1.6.1 (p. 1-5) of the Draft SEIR. The Master Plan included consideration of Pond T, the primary component of the ERSP, in several of the Master Plan alternatives, including Alternative 4X which the Town adopted as the Master Plan in 2001. The Master Plan EIR process evaluated Pond T on a “project” level as summarized on p. 2-2 of the Master Plan EIR.

The proposed Project components and configuration have been undergoing additional refinement since preliminary Master Plan implementation studies were initiated in 2006. These studies are the basis for the Draft SEIR and this Final SEIR. Prior to the start of the SEIR preparation, the Town held a public scoping meeting on November 28, 2007 to inform the public about the potential project. Throughout the CEQA process, the Project design has evolved to reduce potential impacts and limit the overall effect on the environment.

In accordance with CEQA and its guidelines, the Town has followed the required notification process. This notification process began when the Project was first being scoped, which included placing public notices announcing SEIR preparation in local newspapers, mailing information out to affected neighbors, and holding a scoping meeting. For example, see the NOP in Draft SEIR Appendix A. A Notice of Availability was filed and posted to commence the Draft SEIR public review period. In accordance with CEQA’s emphasis on public participation (e.g., CEQA guidelines § 15201 and discussion following), interaction with the public continued during the preparation of the Draft SEIR, particularly through individual meetings between Town representatives and affected neighbors and agencies.

Response to Comment 2-3

With regard to natural surface water flows, no surface water would flow from the pond toward the Russian River. With regard to subsurface flows, the potential for impacts to nearby wells and to the Russian River was a major concern during the SEIR analysis (see Sections 3.3.1.3 and 3.3.1.4 of the Draft SEIR). The Draft SEIR discloses that any water leaking through the membrane liner and seeping into the ground would likely flow through the subsurface towards the Russian River (see, e.g., p. 3-60 in the Draft SEIR). As explained in detail in the Draft SEIR, the Project will not significantly affect water quality in groundwater, nearby wells, or streams, including the Russian River. For additional information regarding groundwater flow, see Draft SEIR Appendix E, Hydrogeology Technical Evaluation, and Response to Comment 3-11 below. For information regarding groundwater quality, see Response to Comment 2-4 below.

The Town notes that the commentor refers to a “professional opinion from a consulting water geologist;” however, the opinion is not cited by name, not attached to the comments, and has not otherwise been made available to the Town of Windsor.

Response to Comment 2-4

The potential for contamination of nearby wells is analyzed in Impacts 3.3-2 and 3.3-3 and determined to be less than significant. Additional detail is provided in Draft SEIR Appendix E, Hydrogeology Technical Memorandum, Table 2, which shows that drinking water standards would continue to be maintained in nearby wells. As stated on Draft SEIR p. 3-56, water stored in the pond will be highly treated and will meet California Title 22 drinking water standards, and is therefore not considered a “plume” or “contamination.”

Response to Comment 2-5

All of the issues raised by the commentor were addressed in the Draft SEIR, as reflected in the above responses. None of the comments identify any deficiencies in the Draft SEIR or any conflicts between the Draft SEIR and the commentor’s asserted professional advice.

2.3 James McDonough

James McDonough
Wren Hop Vineyard
3701 Mark West Station Rd
Windsor CA 95492

July 7, 2008

Mr. Craig Scott
Town of Windsor Engineering Division
Public Works Department
8400 Windsor Road
P.O Box 100, Windsor, CA 95492-0100

Subject: Eastside Road Storage Project (ERSP) Draft Supplemental
Environmental Impact Report

Dear Mr. Scott,

I am writing to comment on the Eastside Road Storage Project Draft Supplemental Environmental Impact Report (SCH #2007112013).

3-1 [My family owns and resides at the property located at 3701 Mark West Station Road, which overlooks the proposed Eastside Road Storage Pond site. My property is one of the three residential properties that adjoin the site and my home is the closest dwelling to the project. Consequently my family and property will be most significantly impacted by the project. During the last year I have voiced my concerns to the Town Council at public hearings and to staff about the need for the project, its close proximity to my house, and its compatibility with surrounding residential and agricultural uses.

3-2 [The Council's and staff have responded by promising to establish a landscape screen along our common property line to obscure. However, based on my review of the EIR, there are a number of noise, air quality and ground water impacts, in addition to the pond's visual impacts, may adversely affect the health and welfare of my family and degrade the value of my property.

My specific EIR comments follow.

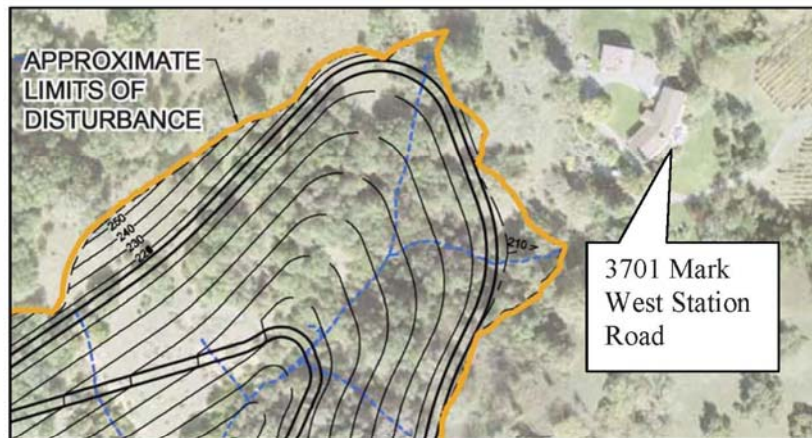
Executive Summary

3-3 [1.1 Project Objectives The project objectives need to include the Town Council's statement on August 1st and the August 15th that "... to the extent practical, that the preliminary design include efforts to integrate the pond visually with the natural surroundings with consideration of alternative fencing, road appearance, and selection of a liner, if needed, to enhance a more natural look."

- 3-4 1.2 Project Components. This section should mention the site improvements including landscaping and fencing that will be installed with this project. These improvements will directly affect how the site will appear and to some extent how the pond will be managed.

2. Project Description

- 3-5a 2.4.1 Storage Pond. The pond description should include the Town Council's direction that the project shall include landscape screening to reduce the project's visual impact. The Storage Pond Facilities figure (Figure 2-5) should show that this landscaping will be located in the northeast corner of the project site. The current landscape plan associated with the project is limited to the pump house only.



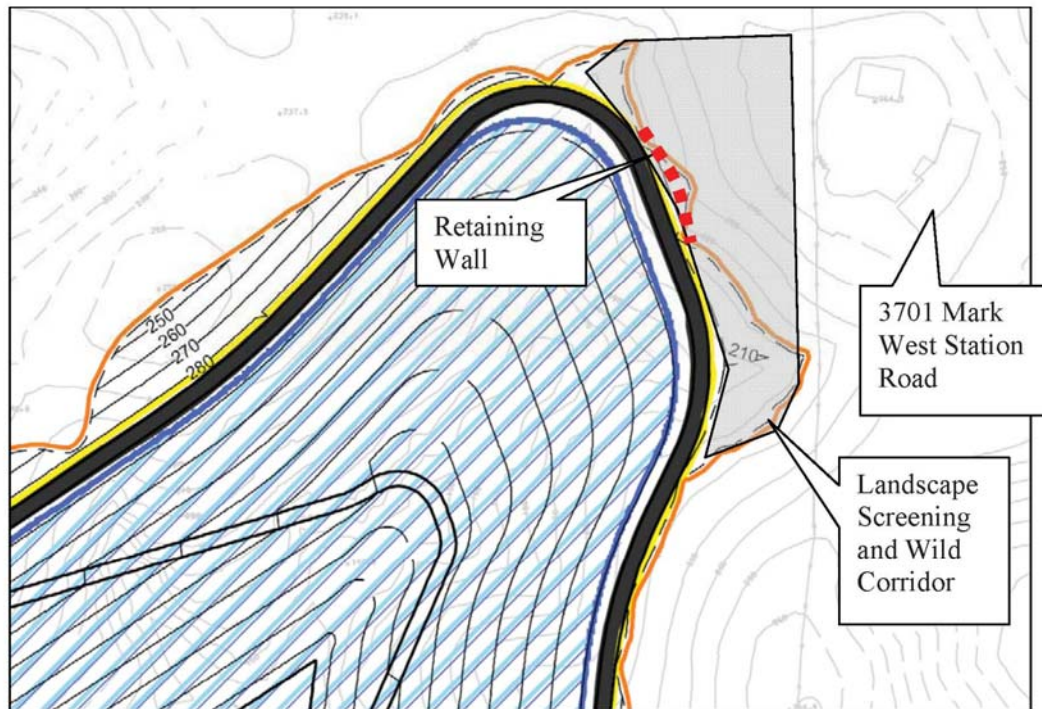
- 3-5b It should describe the landscaping that will be installed as a visual screen along our common property line which runs along the northeast side of the pond. It should also state that this screening will be planted before pond construction begins so that the vegetation can grow into an effective visual screen.

- 3-5c This section should also discuss backfilling or covering the pond liner with soil. This is a common practice used to make ponds, including storage ponds, appear like natural water features, increase the service life of the liner, allow periodic pond maintenance without harming the liner, and eliminate the safety hazards associated with a slippery liner. Backfilling may also enhance protection of nearby wells by providing another layer to help prevent infiltration of pond +water into the ground water.

- 3-5d The pond security fence does not need to include barbed wire to prevent trespass and exclude deer. Barbed wire will only contribute to the pond's appearance as an industrial facility and not help visually integrate it with the rural setting of the site. The least visually obtrusive fencing is a black coated wire. The fence should be located near the pond maintenance road, as shown on the plan, except where it would be visible from the adjoining properties and roadways, including the section of fence shown on the top of the dam. In these sections, the fence should be located away from the road where it can be screened from view by vegetation and/or topography. For instance, the fence sections on the berm at the northeast corner of the pond and on the dam should be repositioned.

3-5e

Minimize grading and vegetation clearing and the area of disturbance in the north east corner of the site to maintain the quality of landscape setting and allow wildlife movement along the east property line. This could be accomplished by reducing the width of the roadway, use a retaining wall for a short section where the maintenance road will be placed in a cut slope, and do not fill and/or disturb the lower lying gullies outside the maintenance road.



3-6

2.4.5 Project Construction. Include statement in discussion that landscaping screening will be installed along the east property line before project construction begins. This task should be moved to the top of the construction sequence list.

3-7

Also, this section needs to include construction time limits. The proposed construction limits should be revised here and elsewhere in the EIR to limit construction to 7 am to 7 pm Monday through Friday and 8 am to 5 pm Saturdays. No construction should be allowed on holidays. Construction at other times are allowed only if previous notice and approved by the neighbors or in an emergency. More limited hours of construction are appropriate give the project construction will take 2 years provided there are no delays. This is a significant period of time and far exceeds what can be considered a temporary disruption to my family.

FIGURE 2-6

3-8

The contour labels across the face of the cut slope below the knoll on the northwest side of the pond are incorrectly labeled. They should be increasing as the slope rises above the road (215 feet) to the top of the knoll (250 feet).

3.1 IMPACTS PREVIOUSLY ADDRESSED IN MASTER PLAN EIR

3-9

3.1.3 Land Use and Recreation. This section states that noise and air quality impacts were previously assessed and mitigated in the previously prepared Master Plan EIR. Then, despite this statement, the ERSP EIR evaluates the project's noise impacts and determines that they are potentially significant unless mitigated (page 3-129). These statements appear to conflict.

Also, the Master Plan EIR does not accurately describe the current project setting and thereby fails to adequately evaluate the project's potential noise impacts. It states that the nearest residences are located 2,500 feet east of Pond T and Pond S (page 4.9-2). It then assesses the noise impact of Pond S, without any mention of the current pond (Pond T) that the Town is proposing to build. It then determines that noise impacts will be less than significant because the construction period will last approximately 6-8 months and that construction activity will be limited between the hours of 7 a.m. to 7 p.m., Monday through Friday, and 8 a.m. to 7 p.m. on Saturday. Given the proposed pond is about 100 feet from my property line and 250 feet from my house and the fact that construction is expected to take 24 months to complete (without any construction delay), it is inappropriate to rely on an out-of-date noise analysis in the Master Plan EIR.

3.2 BIOLOGICAL RESOURCES

3-10

Impact 3.2-8 Wildlife Habitat Linkage. The area between the project site and the east property line should be set aside as a wildlife corridor. It will be the only north-south passage available during the pond construction period. This area can be maintained in its existing condition by not allowing work beyond or outside of the maintenance road alignment. Reducing the road width, using a retaining wall and avoiding grading outside of the maintenance roadway will reduce soil disturbance and vegetation removal to the extent that it may diminish the project's potentially significant impact on wildlife.

3.3 HYDROLOGY AND GROUNDWATER

3-11

Well Water Contamination, Impact 3.3-3. Any degradation of the groundwater serving the wells on my site is a significant and major threat to our ability to achieve organic designation for the vineyard. The report assumes that the groundwater divide lies between my wells and that the probable groundwater flow gradient is towards the north \west, away from the well on my property. Given this assumption is based on only one groundwater elevation observation (Appendix E. Hydrogeology Technical Memorandum, Figures 9 and 10) and that my 200 foot deep well reaches the groundwater near the assumed divide, I think the submitted hydrogeology study needs to include more

3-11
(cont.)

observations. Otherwise, there is insufficient evidence to conclude the location of the groundwater divide and flow direction will ensure contaminated waste water leaking out of the pond will not reach my well and not have a substantial and irreversible impact on my well water quality.

3.4 VISUAL RESOURCES

3-12

3.4.1.1 Site Location and Visual Characteristics. The last paragraph should acknowledge the pond would be within full view of my house and property located at 3701 Mark West Station Road.

Impact 3.4-1. Implementation of the Project will degrade the existing visual character and quality of the Project site and its surroundings. The maintenance road and fence on the berm spanning the drainage swale are visible in the lower middle view figures 3.4-3 b and c. The limits of disturbance shown in figures 2.4 and 2.5 appear to extend beyond

3-13



the fence and would imply the project would remove the trees in this area. My recommendation is that no construction activity is allowed beyond the base of the berm and that the trees in this area are protected.

Verify this cut slope exists.



3-14

The cut slopes visible on the opposite side of the pond are represented with a dark charcoal color. Since the project description does not describe any landscaping in any of the disturbed areas outside and above the pond I must assume this area will remain bare soil until it is eventually covered with weeds. Based on that, I believe the color of the cut slopes will much lighter than shown in the visual simulation and consequently will contrast with the darker background ridges. In addition, the sharp break between the cut

3-15

3-15
(cont.)

slopes and the natural grade finished grade will make the pond appear man-made and not blend or conform to the contours of the surrounding ridges and hillsides. My recommendation is that all the cut slopes be planted with trees and bushes as well as grasses, and that the finished slopes are graded with varied contours and rounded edges to blend with the existing setting.

3-16

Finally, the simulated slope on the north side of the dam appears to be incorrect. Figure 2-5 indicates that a berm will run at elevation 230 + for a distance before it catches the slope cut into the knoll on the north side of the pond. The contour labels across the face of this slope are incorrectly labeled in Figure 2-6. They should be increasing from 210 to 250 feet as the slope rises from the road to the top of the knoll.

3.5 GEOLOGY, SOILS, AND SEISMICITY

3-17

The risk of a large earthquake generated wave or seiche overtopping and eroding the dam is not discussed in this EIR, the accompanying geotechnical report (Geomatrix, May 2007). Nor is this issue addressed in the 2000 Master Plan EIR. The proposed emergency overflow pipeline would not be able to prevent water overtopping the dam during an earthquake. Given the proposed dam is located on a site where a large magnitude earthquake on the Roger Creek Fault is anticipated, this is a potentially significant and unavoidable seismic hazard. Therefore it is appropriate that the dam design and this EIR consider this issue.

I am concerned that the dam height will have to be increased later on to meet State standards and consequently the project's related construction noise and visual impacts will not have been fully evaluated.

3.7 AIR QUALITY

3-18

3.7.1.3 Toxic Air Contaminants. Construction equipment working on the site will generate diesel emissions, a known toxic air contaminant, and fugitive dust emissions for a two year period. The EIR should assess the emissions from the construction site as a stationary source that will occur for at least two years. Also, these emissions will be released within the pond area which will be confined by the surrounding hill side and dam. This may create a TAC hot spot which will expose my family to substantial pollutant concentrations.

3-19

3.7.2 Standards of Significance. The methodology used to assess the project's impact on air quality during construction underestimates the magnitude of the potential impact. The EIR states (Page 3-113) that construction activities during the excavation phase will generate emissions 8 hours a day. This is substantially less than the 12 hour construction period allowed in the project description. Also, significant equipment emissions will be generated during the tree removal and embankment construction phases. Consequently, the EIR should be revised to account for the emissions that will be generated during the entire construction period.

3-20

3-21 Impact 3.7-2: As noted above, the duration of allowed daily construction activity (12 hours) exceeds the assumed 8 hour period the air quality analysis uses to predict construction equipment exhaust emissions. Also this section states that construction activity will be completed in 13 months, not 24 months as stated in the project description (2.4.5 Project Construction, Table 2-1). I must conclude that based on the project description hours and duration of construction, the project's actual air quality impacts will be greater during construction than stated in this section. 3-22

3-23 Impact 3.7-4: Any objectionable odor from the pond that degrades the quality of the fresh air my family breathes is significant regardless of the number of people affected. The detection thresholds which the EIR uses to conclude that the pond will have negligible odor impacts do not reflect the wide range of human odor sensitivity. Nor does it account for the variation in wastewater and consequently odor produced by the Town's treatment plant. The EIR should address the variability of wastewater odor and evaluate if the Town's wastewater can at times be intense enough to become objectionable. The Town should establish a notification process the neighbors can use to alert the Town of objectionable odors and establish a program to monitor and, if necessary, hold wastewater at the plant if its odor exceeds detection thresholds. 3-24

3.9 NOISE

3-25 The project construction noise generated by the project will profoundly disturb the use of our property. The proposed mitigation measures fail to address the problem created by construction during the early morning and early evening quiet periods when that we are outdoors working in the garden and vineyard. The suggested Saturday construction hours are unacceptable since these are the days that we will use our home and garden to entertain our family friends, my business clients, and vineyard customers. Finally, the construction noise would be inescapable for two years, if there is no construction delay. Consequently, I cannot agree that the construction noise would be less that significant with the proposed mitigation measures. A minimum, the project should also include restrictions that prohibit (1) grading and other noise generating work between the maintenance road and my property line, and (2) restrict work activity that would exceed the County's noise threshold within 1,000 feet of our house on Saturday, Sunday and holidays.

3-26 I must also question the adequacy of the noise assessment. A noise study was not prepared for this EIR; nor does it appear that a qualified acoustical engineer evaluated the project's potential noise impacts in the 2000 Master Plan EIR. There is no data that describes the existing noise condition. As noted previously, the Master Plan EIR incorrectly states that the nearest residence lies 2,500 feet east of the project site (Page 4.9-2). It goes on to say that construction of the pond will not create unacceptable noise given "... the temporary nature of construction (approximately 6 to 8 month), construction hour limitations (between hours of 7 a.m. to 7 p.m., Monday through Friday; 8 a.m. to 7 p.m. Saturday) and implementation of noise controls." The Master Plan EIR noise level Table (page 4.9-1) indicates that construction equipment with noise controls operating within the project "area of disturbance" would exceed the 60 dBA noise standard at our property

3-26
(cont.)

line. Also, nothing is said how the dam and canyon walls may bounce noise generated by construction equipment operating within the empty pond. My concern is that the pond may act like an acoustical shell and direct noise towards my house. There is no data in Master Plan EIR or this EIR to show the project would not increase the existing noise condition by 5 dBA or more. Therefore there is no evidence that supports the EIR's conclusion that the proposed noise mitigation measures would reduce the project's noise impacts to a less than significant level.

Without this data, I must conclude that the duration and intensity of construction needed to build this project will: (1) generate noise in excess of noise standards, (2) substantially increase ambient noise levels in the project vicinity during construction, (3) create a potentially significant noise impact that will be detrimental to the health and wellbeing of my family and (4) diminish the use of the garden and thereby degrade the value of our property.

4.3 SIGNIFICANT AND UNAVOIDABLE ADVERSE IMPACTS

3-27

As previously stated, the projects potential odor and construction noise impacts may be significant and unavoidable adverse effects of the project.

5.0 ALTERNATIVES

3-28

The alternatives section should also compare odor and construction noise because these impacts are potentially significant and unavoidable for the reasons previously given.

3-29

5.5.3 Alternative Liner. This section should discuss backfilling the pond liner which will make the pond appear like a natural water feature, increase the service life of the liner, allow periodic pond maintenance without harming the liner, and thus enhance protection of the nearby ground water basin.

Thank you for considering these comments.

James McDonough

Response to Comment 3-1

Since June 4, 2007, Town representatives have been in communication with resident Jim McDonough and have met with him on several occasions to discuss the Project. In addition, the Town acknowledges oral comments made at the November 28, 2007 scoping meeting and June 18, 2008 public hearing. The Draft SEIR acknowledges the close proximity of the commentor's residence to the pond site and that the commentor would have the only direct view of the pond. For example, see Draft SEIR pages 3-76 and 3-77 regarding Observation Point 2.

Response to Comment 3-2

This comment summarizes the categories – noise, air quality, groundwater, and visual – detailed in the remainder of the comments. See Responses to Comments 3-3 through 3-29. Consistent with the comment and with CEQA's intent, potential impacts are described in the Draft SEIR relative to thresholds of significance, and mitigation is prescribed where impacts are considered potentially significant.

Response to Comment 3-3

The referenced section summarizes Project objectives. The complete description of Project objectives in Section 2.2 of the Draft SEIR includes the basic components and the three objectives of the Master Plan EIR (ESA, 2001). Against this background, the discussion describes the specific objectives of the Project (p. 2-3). The Council's statement (contained in Resolution 2120-07, adopted August 15, 2007) relates to design of the Project, not to the purpose (objectives) of the Project.

The statement from Resolution 2120-07 was incorporated into the Scope of Work for the engineering and environmental consultant, and efforts to integrate the pond visually with the natural surroundings were considered during the preliminary design phase of work. With regard to fencing, see Response to Comment 3-5d below. With regard to the perimeter access road, see Response to Comment 3.5e below. With regard to the pond liner (and cover), see Response to Comment 3-5c below.

Response to Comment 3-4

Consistent with Section 15123 of the CEQA Guidelines, the list of Project components in the Executive Summary is a brief summary of Section 2.4, Project Description. Key Project components from Section 2.4 (a five-page project description) were selected for the short bullet list in the Executive Summary. Within Section 2.4, landscaping and fencing are listed under Project Construction (pages 2-8, 2-9). Section 3.4.3 provides additional detail on landscaping and fencing (pages 3-78 and 3-79).

Response to Comment 3-5a

The description of the Project in Section 2.4 includes the following bullet under the discussion of construction sequencing, which confirms that landscape screening is part of the Project:

- Reseeding/revegetating areas of temporary disturbance and installing screening landscaping along Eastside Road and at the east end of the pond.

Page 3-79 further confirms that landscaping to partially obscure reservoir views will be installed as part of the Project. At this time, details about the specific type and location of the proposed landscape screening have not been determined, but Figure 3.4-5 shows a simulated view approximately 10 years after installation. In addition, the Project proposes that the landscape screening along the east end of the pond be installed toward the end of the construction period (as indicated in Section 2.4). The commentor has requested the timing be before construction begins (see Comment 3-5b). The Town Council may consider the commentor's request when it considers the Project; the requested change in timing would not change the analysis or conclusions of the Draft SEIR as to visual impacts.

Response to Comment 3-5b

See Response to Comment 3-5a.

Response to Comment 3-5c

As noted on page 5-6 of the Draft SEIR, "[t]he proposed Project includes the use of a geomembrane liner that could be covered for added protection or left exposed." Detailed specifications for the liner will be developed during the final design stage of the Project, but at this time the liner is expected to consist of a high-density polyethylene or low-linear-density polyethylene geomembrane approximately 60 mils thick, with a textured surface to provide grip. The liner can be exposed on the side slopes with an expected service life of approximately 25 years, assuming reasonable routine inspection and maintenance, before needing replacement. The textured surface allows for inspection/maintenance access by workers on foot. A concrete access ramp would be installed, allowing for equipment access to the bottom of the pond for inspection and maintenance. Both the textured surface and access ramp, in concert with the fence to restrict unauthorized access, would reduce safety hazards associated with a slippery liner.

The Town assumes that "backfilling," as stated by the commentor, refers to the use of a processed clay liner as an alternative to a geomembrane liner. A clay liner was considered during preliminary design, consisting of native silty to clayey soils mixed onsite with 3 to 4 percent of imported bentonite and covered with a 2-foot layer of riprap for protection from erosion and desiccation. This option is not being recommended for further consideration. As stated in Section 5.5.3 of the Draft SEIR, "...the Town eliminated the clay liner from further consideration because it had the poorest performance at the highest cost of the options under consideration, and would require significantly greater import of construction materials." See also Response to Comment 3-29.

Section 2.4 of the Draft SEIR discusses the option of covering the pond liner (see Draft SEIR, p. 2-5):

During final design, a liner cover may also be included if it is determined to provide long-term savings in operations and maintenance costs. The cover would consist of gravel, concrete, or plastic soil cement (a concrete-like material made from onsite soils mixed with cement) and would be confined in a thin layer by a system of geosynthetic grids.

Because of the pond slopes and the regular operational drawdown, the Town's engineering consultants are recommending that any potential liner cover material be confined by the geosynthetic grids to prevent erosion by waves. Simply covering the liner with soil is not feasible because of seasonally fluctuating pond water levels.

As noted in the comment, covering the liner could increase the service life of the liner by providing a greater level of protection from damage due to punctures or other physical damage and exposure, extending the service life to 50 years or more. However, a negative aspect of the liner cover is that it would be more difficult to detect and repair punctures or tears of the underlying geomembrane. Also, while the liner cover provides physical protection to the underlying liner, it is not expected to provide any significant additional benefit in leakage reduction over the geomembrane liner itself.

The liner cover would look different than an exposed black geomembrane liner – lighter in color with an appearance of gravel, conventional grey concrete or tannish raveled concrete (soil cement). Note that the visual simulation of the constructed pond shown in Figure 3.4-3b of the Draft SEIR is of the pond with the liner cover, which would have the greater visibility due to its lighter color than an exposed black liner. Although the difference in appearance is acknowledged, it is important to note that neither a covered liner nor an exposed liner would result in a pond that “appears like a natural water feature.”

Finally, the Town and its engineering consultants do not agree that it is “common practice” to cover a liner. The need for a cover is determined on a case-by-case basis, and it is the Town's understanding that most lined ponds do not include a cover.

At this time, a final decision has not been made to incorporate a liner cover into the Project design. In order to provide the option for either case in the Draft SEIR, the worst-case impacts of installing a liner cover were used in order to describe the full extent of potential impacts (e.g., truck traffic related to installation of a liner cover). During final design, if it is determined to provide long-term savings in operations and maintenance costs, a liner cover may be included.

Response to Comment 3-5d

In accordance with Town Council Resolution 2120-07, the Town and its engineering consultants considered fencing options during preliminary design. Important considerations included preventing human access to the pond as an “attractive nuisance” and preventing animal access to the pond to protect an exposed liner. In both cases, safety and security were of primary importance. Based on the preliminary design process, the Draft SEIR identified the anticipated type and location of fencing. Section 2.4 of the Draft SEIR states that “[a] fence approximately eight feet high, such as chain-link or deer fence

topped by barbed wire, would be placed outside the [perimeter access] road to provide security.” The Draft SEIR analysis is based on this description, and did not identify any significant impacts. The Town Council may consider the commentor’s suggestions regarding fencing design and location when it considers the Project. The suggestions would not change the analysis or conclusions of the Draft SEIR as to visual impacts.

Response to Comment 3-5e

The Town will consider the commentor’s suggestions during final design. Minor changes to the Project as suggested in the comment would not affect the substance of the analysis or conclusions in the Draft SEIR.

Response to Comment 3-6

See Response to Comment 3-5a.

Response to Comment 3-7

The Town expects to follow the normal construction time limits established in its Zoning Ordinance, described in Draft SEIR Section 3.9 at page 3-129 (7:00 a.m. to 7:00 p.m. Monday through Friday and 8:00 a.m. to 7:00 p.m. on Saturdays, with no Sunday construction) to the maximum extent practicable. See also Master Plan EIR Mitigation Measure 4.6.1a. The Town updated the construction noise issue because construction work may occasionally be necessary outside of these construction windows. This is a potentially significant impact in the Draft SEIR and requires the Town to implement a notification program pursuant to Mitigation Measure 3.9-1b.

With regard to the duration of construction, see Responses to Comments 3-25 and 3-26.

Response to Comment 3-8

This comment is directed towards Figure 2-6, which does not exist in the Draft SEIR. The Town assumes that the comment is regarding Figure 2-5. The commentor is correct. The contour labels for the cut slope above the perimeter access road, on the northwest side of the pond, were incorrectly drawn and have been changed to show the correct elevation range of 220 to 250 feet above sea level (see Chapter 3, Revisions to the Draft SEIR).

Response to Comment 3-9

To avoid confusion, the last paragraph on page 3-3 of the Draft SEIR has been clarified as follows (see also Chapter 3, Revisions to the Draft SEIR, in this document):

The Project would generate short-term noise, air quality, and traffic related impacts. These impacts would be short-term, and would be reduced to a less-than-significant level through

implementation of standard construction measures, as defined in Master Plan EIR Section 3.6, Traffic; 3.7, Air Quality; and 4.9, Noise (ESA, 2000). ~~All impacts identified would be less than significant with mitigation, so conclusions about Land Use and Recreation remain unchanged.~~ Construction noise is updated in Section 3.9 of the Draft SEIR.

The Draft SEIR updates the Master Plan EIR based on more accurate information about the location of the commentor's residence. For example, the Master Plan EIR states that the nearest residences are located approximately 2,500 feet from the dam construction site. Rather, it appears that the nearest residence (the commentor's residence) is approximately 1,200 feet from the proposed dam construction site, and about 150 feet away from the nearest disturbance area (the distance between the house and the eastern edge of the Town's property). The Draft SEIR updates the Master Plan EIR's distance measurements (see p. 3-128), and the severity of noise impacts as described in the Master Plan EIR. See Responses to Comments 3-25 and 3-26 for additional discussion of the SEIR noise analysis. The Master Plan EIR as supplemented adequately identifies and analyzes the Project's potential noise impacts.

Response to Comment 3-10

Impacts to wildlife corridors are addressed in the Draft SEIR, Impact 3.2-8. As the analysis states on page 3-38, the north-south corridor west of the pond could be partially impeded during construction, but implementation of the Project would maintain the potential linkage along this western margin. Wildlife also would be able to use the north-south habitat linkage that is east of the pond. The impact is less-than-significant and no mitigation is required. The Town may consider the commentor's suggestions during preparation of final design plans. Also see Response to Comment 6-4 below.

Response to Comment 3-11

All available water level data were included in the analysis, including publicly available water level records (U.S. Geological Survey [USGS] and California Department of Water Resources), on-site geotechnical borings, and water levels at the nearby Ocean View Reservoir (also known as Airport Pond). Although groundwater was not encountered in the geotechnical borings, some borings were deep and the bottom elevations of the borings were used as an upper bound on local groundwater levels.

In addition to water level data, estimates of recharge from precipitation and aquifer transmissivity were used to develop a conceptual model of the system. Using standard analytical techniques based on the groundwater flow equation, the location of the groundwater divide was calculated based on all available information, including observed water levels, estimates of recharge, and reported aquifer transmissivity. For additional information, see Draft SEIR Appendix E, Hydrogeology Technical Memorandum.

The recycled water to be stored in the pond, as stated on pg. 3-56 of the Draft SEIR, will be highly treated and will meet California Title 22 drinking water standards; therefore violations of water quality standards are not expected. Based on best available data, groundwater migration from the pond is not likely to flow in the direction of the

commentor's well. To confirm the assessment of hydraulic gradient and flow direction, as stated in Section 2.4.4 of the Draft SEIR, the Town will install two up-gradient monitoring wells and three down-gradient monitoring wells or piezometers as part of the Project.

As noted above, water stored in the pond will meet California Title 22 standards; it will not be contaminated wastewater. Although best available data suggest that flow toward the wells on the commentor's property would not occur, in the event that water leaking from the pond does flow towards the wells, the potential organic designation of the vineyard should not be threatened. According to a report prepared for the Napa Sanitation District (Weber et al., 2006):

The National Organic Program (NOP) includes the Federal regulations that establish national standards for agricultural products labeled as organic. These standards are known as the National Organic Standards. Congress authorized the USDA to establish the NOP in the Organic Food Production Act of 1990. Organic producers in the United States must now be certified according to the NOP Rule. Growers develop production and handling practices with one of a number of certifiers, such as the California Certified Organic Farmers (CCOF), to qualify their produce as meeting the USDA requirements. Individual certifiers are prohibited from making additional requirements to the USDA standards in the NOP.

The use of recycled water for vineyard irrigation is not restricted in the NOP. Therefore, organic grape growers are free to use this water in organically certified vineyards, as long as it is agriculturally suitable for the intended use.

Several wineries and vineyard operations in Sonoma County currently use recycled water for vineyard irrigation, including Gallo and Shone Farm. Designated organic vegetable growers such as Quetzal Farm also use recycled water. In addition, in Monterey County over 12,000 acres of edible food crops are irrigated with recycled water. Tertiary-treated recycled water meets California Title 22 standards for unrestricted reuse, including irrigation of vineyards and vegetables consumed raw.

The Draft SEIR discloses the best available information on the potential for groundwater degradation. The Town's consulting hydrogeologist and the CEQA consultant's hydrogeologist carefully reviewed the comment and found no conflict with the Draft SEIR analysis. The Draft SEIR adequately analyzes the potential for groundwater degradation; no additional analysis is required.

Response to Comment 3-12

The acknowledgement that the pond would be visible from the commentor's property (Observation Point 2) is found in Section 3.4.1.4, Observation Points (Draft SEIR p. 3-77).

Response to Comment 3-13

The visual simulations are based on the preliminary design, including tree removal within the disturbance area shown on Figures 2-4 and 2-5 (and also Figure 3.4-1 in the Visual Resources section). As the commentor notes, the disturbance area extends beyond the perimeter road and fence in this area. It is possible that the precise limit of the disturbance will be adjusted during final design including, as the commentor suggests, to protect

additional trees in this area. Please note, however, that recontouring the minor gullies along the eastern perimeter may be necessary for the design of the pond in order to assure proper drainage (see top of p. 2-5 in the Draft SEIR regarding filling low areas outside the pond edge).

Response to Comment 3-14

The visual simulations show the cut slopes replanted with grasses and small shrubs; the “dark charcoal color” may be a result of reproduction of the original figure. As noted in Section 2.4.5, Project Mitigation Implementation, of the Draft SEIR, the construction sequencing in the Project Description includes revegetation of all disturbed areas. See also Section 2.4.6, Project Construction.

Response to Comment 3-15

The Town agrees with the commentor’s recommendation that “finished slopes [be] graded with varied contours and rounded edges to blend with the natural setting.” This is consistent with the statement in the project description that the pond area “would be graded to a configuration that blends smoothly into the natural topography...” (see Draft SEIR, p. 2-4). The disturbance area, including cut slopes along the pond perimeter, is based on preliminary design. This level of design development is reflected in the visual simulations. Additional detail will be refined during final design, including efforts to assure that cut slopes blend with the natural setting.

With regard to revegetation of cut slopes, see Response to Comment 3-14. The type of revegetation plantings will be determined at the final design stage. The simulated view from the commentor’s property (Figure 3.4-5) shows potential landscaping at the easterly Project boundary with a variety of species, heights, colors, and types. To the extent feasible, the cut slopes will be replanted with a variety of species to soften the line between the cut and natural slopes, while maintaining slope stability.

Response to Comment 3-16

Figure 2-5 indicates a cut slope, rather than a berm, across the north side of the pond. The commentor is correct about the mislabeled contours at the knoll on the north side of the pond – they should be decreasing in elevation as the commentor states. Section 3.0 of this Final SEIR contains a corrected Figure 2-5. The visual simulations are accurate – they follow the correct contours at the knoll from the preliminary design drawings and not the mislabeled contours on the figure. Note: the Town assumes the commentor intended to refer to Figure 2-5 – there is no Figure 2-6.

Response to Comment 3-17

The Town's civil and geotechnical engineering consultants agree that overtopping and eroding of the dam due to an earthquake-generated wave or seiche is an important design consideration; however, there is very little risk of a seiche of sufficient size to cause overtopping and dam erosion for the Project. Large seiches (slow, rhythmic waves many feet to tens of feet high) are generally associated with large lakes, bays, and seas, while small seiches (sloshing or small waves from several inches to a few feet high) are associated with small bodies of water such as pools, ponds, or small lakes. Given the small size of the Project pond and based on professional judgment of the engineering consultants, it is estimated that any potential earthquake-generated waves are likely to be on the order of one foot or less in height, which is well within the 6 feet of "freeboard" between the maximum pond surface and the top of the dam embankment. Therefore, no overtopping or erosion of the dam are expected. The purpose of freeboard is to provide a margin of safety against potential overtopping from a variety of events, including earthquake-generated waves. As stated on page 2-5 of the Draft SEIR:

When the pond is full, the surface water elevation would be approximately 209 feet, leaving approximately six feet of freeboard to accommodate heavy rainfall events or waves as required by state dam safety regulations.

With respect to the commentor's statement that the emergency overflow pipeline would not be able to prevent water overtopping the dam during an earthquake, the Town notes that the emergency overflow pipeline is not intended to prevent overtopping due to earthquake-generated waves; that protection will be provided by the freeboard. The purpose of the emergency overflow pipeline, in concert with the dam freeboard, is to prevent a hydrologic (storm) or operational (uncontrolled pumped inflow) event from overfilling the pond, resulting in overtopping and erosion of the dam.

With respect to the commentor's final statement that the dam height may have to be increased to meet State standards, the Town notes that the preliminary dam design was forwarded to the California Department of Water Resources, Division of Safety of Dams (DSOD). Their review and approval of the preliminary design concepts for the Project is documented in their letter dated August 15, 2008, which is presented in Exhibit 2-1 below.

Based on the above discussion, the risk of a large earthquake-generated wave or seiche overtopping and eroding the dam is less than significant.

Response to Comment 3-18

The construction site is not a stationary source (Draft SEIR, page 3-108). The Bay Area Air Quality Management District's (BAAQMD's) *CEQA Guidelines: Assessing the Air Quality Impacts of Projects and Plans* (1999) defines a stationary source as a "fixed, non-mobile source of air pollution, usually at industrial or commercial facilities." By contrast, construction equipment is included in the BAAQMD definition of a mobile source. Therefore, the Draft SEIR correctly concluded that construction equipment would not be assessed as a stationary source. Construction impacts are adequately analyzed in the Draft SEIR; no additional analysis is required.

STATE OF CALIFORNIA -- THE RESOURCES AGENCY

ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF WATER RESOURCES

1416 NINTH STREET, P.O. BOX 942836
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**RECEIVED**

AUG 21 2008

AUG 15 2008**TOWN OF WINDSOR**

Mr. J. Matthew Mullan, Town Manager
Town of Windsor
Post Office Box 100
Windsor, California 95492-0100

Windsor Dam, No. 27
Sonoma County

Dear Mr. Mullan:

This letter is in response to a request for comments on the preliminary design of the Eastside Road Storage Project. Based on a review of the preliminary design documents, the project is judged to be satisfactory with respect to dam safety.

We request that future design submittals be accompanied by a construction application and fee as discussed in a July 24, 2008 meeting with representatives from the Town of Windsor and engineering consultants. Additionally, advance notice of subsurface investigations is requested so that Division staff can observe these in the field.

If you have any questions or need additional information, you may contact Design Engineer Melissa Pi at (916) 227-4344 or Project Engineer Mark Schultz at (916) 227-4619.

Sincerely,

A handwritten signature in black ink that reads "Mike Zumot" followed by a small "FM" in the right margin.

Mike Zumot, Acting Chief
Division of Safety of Dams

cc: Mr. Richard W. Burt
Public Works Director/Town Engineer
Town of Windsor
Post Office Box 100
Windsor, California 95492-0100

Mr. Craig Scott, Senior Engineer
Town of Windsor
Post Office Box 100
Windsor, California 95492-0100

EXHIBIT 2-1

DSOD Approval Letter for Dam Preliminary Design

The Town further notes that although construction would generate diesel particulate matter emissions, cancer risk from diesel particulate matter exposure is evaluated for a 70-year lifetime exposure. The Office of Environmental Health Hazard Assessment (OEHHA) methodology, *The Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments* (August 2003), specifically states for stationary sources, (1) “The Hot Spots Act requires that each local District determine which facilities will prepare an HRA [Health Risk Assessment],” and (2) “Short-term high exposures are not necessarily equivalent to longer-term lower exposures even when the total dose is the same. OEHHA therefore does not support the use of current cancer potency factor to evaluate cancer risk for exposures of less than 9 years.” Therefore, since the BAAQMD does not require risk assessments for construction emissions, construction equipment is considered a mobile source, and the duration of construction would be much less than 9 years, an assessment of the risk from construction diesel emissions is not warranted, nor would the Project site be considered an air toxics “Hot Spot.”

Response to Comment 3-19

Air quality impacts from construction equipment exhaust were evaluated assuming that the equipment would operate a maximum of 8 hours during the allowed 12-hour construction period – continuous operation of construction equipment over a 12-hour workday is unlikely to occur. The Town’s engineering and environmental consultant recommended this approach, consistent with their experience in construction operations.

The BAAQMD *CEQA Guidelines Assessing the Air Quality Impacts of Projects and Plans* (1999) states that implementation of control measures during construction would result in a less than significant impact to air quality. These control measures were certified as part of the Master Plan EIR as Mitigation Measure 4.8.1 and would be implemented during construction of the storage pond. Therefore, the number of hours per day the equipment is assumed to operate would not affect the impact assessment since the control measures recommended by the BAAQMD would be implemented.

Response to Comment 3-20

Construction emissions were quantified for the construction phase expected to result in the maximum peak daily emissions. As stated on page 3-113 of the Draft SEIR, emissions from the tree clearing and embankment construction phases were considered, but emissions from the excavation phase would be expected to result in higher emissions because of the number and size of equipment used during the excavation activities. Therefore, the emissions presented in Table 3.7-6 of the Draft SEIR represent the estimated peak daily emissions expected from all construction phases, including the tree removal and embankment construction phases.

Response to Comment 3-21

Please see Response to Comment 3-19.

Response to Comment 3-22

The text in Section 3.7 of the Draft SEIR does not state that construction would be completed in 13 months. The text on page 3-114 under Impact 3.7-2 states, “Approximately 13 months of the construction schedule may require use of a diesel- or gasoline-powered generator.” This statement was intended to mean that a generator might be used for 13 months out of the 24 month construction schedule. Therefore, the text has been revised for clarity to “A diesel- or gasoline-powered generator may be used for 13 months out of the 24-month construction schedule. Used only during construction hours, the generator is expected to generate emissions similar to those from a small piece of construction equipment (e.g., a truck).” (See Chapter 3, Revisions to the Draft SEIR, in this document.) Most construction equipment (e.g., earthmovers) would be powered by diesel engines and would not use stationary generators.

Response to Comment 3-23

The purpose of the Project is to create a storage pond which will be used to balance inflow of recycled water received from the Town of Windsor Wastewater Treatment Plant during the spring and fall months with outflows to irrigation during the summer months and discharge to Mark West Creek during the winter months. The recycled water discharged to the storage pond will have been treated to meet the disinfected tertiary treatment water quality standards outlined in Title 22 of the California Code of Regulations. Therefore, little variability in the quality of water discharged to the storage pond is expected, and water quality will be controlled to levels equal to or better than the Title 22 standards.

The inflow of recycled water to the proposed storage pond is received from the wastewater treatment plant after treatment – the proposed Project does not include the handling or storage of untreated wastewater, nor does it include any modifications to the existing plant. Therefore, an assessment of the variability and intensity of the odors associated with the existing wastewater treatment plant is not applicable to the proposed Project.

Response to Comment 3-24

Establishing a notification and monitoring program for the proposed Project would not be required, since the proposed Project does not include any modifications to the existing wastewater treatment plant and impacts from the proposed Project would be less than significant. In addition, the Town notes that the BAAQMD operates an air pollution complaint hotline (1-800-334-6367) that the public can use to report odor complaints.

Response to Comment 3-25

The Draft SEIR and the Master Plan EIR identified potentially significant construction noise impacts. The normal construction hours identified in the Draft SEIR are those applicable throughout the Town and to the Project through previously adopted mitigation measures. Also, not all construction activity will be located near the commentor’s property, and the type of noise-generating equipment will vary during different phases of construction.

The Master Plan EIR included mitigation measures requiring construction noise controls. Mitigation Measure 3.9-1a in the Draft SEIR refines this requirement and requires the construction contractor to prepare a Noise Control Plan that prescribes reduction measures (“best management practices,” or BMPs) to be implemented during construction. This is intended to assure that noise control measures are as site-specific as possible based on the contractor’s specific methods of construction. The second and third bullets, in particular, require noise controls specifically aimed at limiting noise exposure at nearby sensitive receptors, including the commentor. Also see the discussion below in Response to Comment 3-26.

With regard to the two-year construction schedule, please refer to Table 2-1 in the Draft SEIR. The total duration of the construction period is anticipated to be from August 2010 to August 2012, a two-year period. Within that two-year period, intensive construction is anticipated to occur during the approximately 2- to 3-month tree removal phase (August – October 2010) and the pond excavation and dam construction phase several months later (March – November 2011). Although miscellaneous construction activities could take place near the commentor’s property at other times, Table 2-1 illustrates that intensive construction activity for the site as a whole would occur for approximately 12 months. In addition, within that 12-month period, more than one-half of the disturbance would be located more than 1,000 feet away from the commentor’s residence. The most equipment-intensive activity – dam construction – would range from approximately 1,200 feet to 1,600 feet away from the commentor’s residence. This distance is expected to provide attenuation of noise from dam construction to levels below 60 A-weighted decibels (dBA) at the commentor’s residence.

The Draft SEIR and Master Plan EIR adequately disclose and analyze the potential for substantial noise increases due to Project construction. The identified mitigation measures substantially reduce the impact in accordance with CEQA. No further analysis or mitigation is required.

Response to Comment 3-26

Comment 3-26 includes a number of subparts that are not broken out separately in the comment delineation, but are addressed separately below; brief italicized identifiers are provided in the response to assist the reader.

- a) *The commentor asserts there is no noise study or data on existing conditions.* The commentor is correct that a background noise study was not prepared for the certified Master Plan EIR or the Draft SEIR. Addressing a similar comment, Response L.2 in the Master Plan EIR (p. 2.L-2) explained that the existing noise environment can be deduced based on the type of land uses and the number of sensitive receptors at each site. As updated in the Draft SEIR (p. 3-128), the Project site is in an agricultural and open space area, with a few scattered rural residences. The commentor’s residence is the closest to the Project site, located approximately 150 feet from the edge of the construction disturbance area and approximately 1,200 feet from the dam construction area. The existing noise environment in the Project area has not changed since the previous EIR was certified. There has been no development in the pond area and there are no noise-sensitive

receptors in the pump station portion of the Project. The only noise-sensitive receptor in the pond construction area is the commentor's residence.

The previous Master Plan EIR analysis assumed that construction noise would be higher than ambient noise levels and concluded that it would result in a short-term significant impact. The Master Plan EIR was not challenged in court and its analyses and conclusions are presumed to be valid.

- b) *The commentor asserts that the Master Plan EIR distance information regarding his house is incorrect.* The Master Plan EIR statement that the nearest residence is approximately 2,500 feet from the dam construction site has been updated and clarified in the Draft SEIR and in this Final SEIR. The commentor's residence is approximately 150 feet from the edge of the construction disturbance area and approximately 1,200 feet from the dam construction area.
- c) *The commentor asserts that the Master Plan EIR says that noise from pond construction will not be unacceptable even though noise would exceed 60 dBA at his property line.* The commentor is correct that the Master Plan EIR analysis concluded that potentially significant construction noise impacts would be reduced to less than significant even with projected noise levels in Table 4.9-1. The Master Plan EIR (p. 4.9-5) explained that for temporary noise impacts, identification of "substantial increases" in noise "depends upon the duration of the impact, the temporal daily nature of the impact, as well as the absolute change in dBA levels." Consistent with the commentor's observation, based on Master Plan EIR Table 4.9-1, construction noise at approximately 100 feet from the noise source (which is slightly less than the distance from the nearest area of disturbance to the commentor's residence) was expected to be approximately 69 dBA with implementation of noise controls. The same activities and equipment identified in the table would apply to the Project, except that the Project includes no blasting or impact activities and thus no noise from impact tools and equipment, which is the most intense category of construction noise generation.

As set forth in the certified Master Plan EIR and reflected in the Draft SEIR, temporary construction noise impacts are a function of duration and temporal nature as well as noise levels. Construction noise from the Project will be temporary, lasting only as long as the construction period. Further, not all of the construction noise will be in the vicinity of the commentor's residence; the staging areas and dam construction areas are the noise sources of most intensity and duration and are not in the immediate vicinity of the residence. Projected construction noise in the vicinity of the residence is consistent with noise exposure projections in the Master Plan EIR. Finally, construction hours will be limited for the Project, and noise controls identified in the Master Plan EIR and further refined in the Draft SEIR to focus on the Project and nearest residence (i.e., the commentor) will be implemented. The Draft SEIR adequately updates the analysis and conclusions in the certified Master Plan EIR as to construction noise impacts generally (and as to the potential for extended work hours for which an additional mitigation measure was identified).

- d) *The commentor asserts that the analysis does not discuss how the dam and canyon walls may bounce noise generated by construction equipment operating within the empty pond.* This comment is similar to those sometimes raised on highway noise barriers. The Federal

Highway Administration has determined that reflections from acoustically hard highway barrier walls do not result in a perceptible increase at homes opposite the barrier (Bies & Hansen, 2003). It is for similar reasons that such an increase or “bounce” is not anticipated from the construction equipment in the empty reservoir/pond. The theoretical 3 dBA increase from a “perfect reflection” is generally considered the threshold of perceivable change outside of a laboratory; therefore, any such increases over predicted levels are anticipated to be minimal. The irregular earthen sides of the pond would not result in a perfect reflection, and therefore the increase in noise is likely to be much less than 3 dBA. Any potential for bounce noise would not be a substantial increase and would be less than significant.

- e) *No data shows that the Project would not increase existing noise by 5 dBA or more.* As noted above, the Master Plan EIR assumed that construction noise would significantly increase ambient noise levels, based on land uses in the vicinity and the number of sensitive receptors. With agricultural and open space uses in the Project vicinity and the presence of a sensitive receptor in the pond construction area (i.e., the commentor), the identified impact applies to the Project. As further explained above, based on the identified factors and with the identified mitigation measures, the Master Plan EIR concluded that the impact would be reduced to less than significant. As updated in the Draft SEIR, the noise exposure assumptions and conclusions in the certified Master Plan EIR remain appropriate. The Draft SEIR also appropriately updated the analysis for a potentially significant impact from extended work hours and identified an additional mitigation measure in response. The Master Plan EIR and the Draft SEIR adequately analyze the potential for construction noise impacts from the Project. The Town notes that the Master Plan approval and related EIR process extended over several years, with exceptional public outreach and participation. No comments were received from the then-owner of commentor’s residence and neither the Master Plan approval nor its EIR was challenged in court.
- f) *Without the above-referenced data, construction of the Project will create significant noise impacts, diminish the use of the garden and degrade the value of the property.* The certified Master Plan EIR, the Draft SEIR, and this Final SEIR disclose that the Project will result in potentially significant temporary and localized increases in ambient noise levels due to construction noise. The analyses also disclose the assumptions and data upon which the conclusions regarding significance are based. As noted above, for example, the Master Plan EIR assumes that ambient noise levels will be substantially increased. In another example, the Master Plan EIR includes a table showing that construction noise near the commentor’s residence is expected to be approximately 69 dBA with implementation of noise controls. Based on analyses in these referenced documents of the applicable threshold for temporary noise impacts as well as short-term, temporary, limited time and controlled noise exposure factors, the potential impacts are determined to be less than significant with implementation of the adopted and identified mitigation measures. Consistent with the CEQA Guidelines (Section 15162), the potential for significant temporary construction noise impacts on the environment has been adequately disclosed and mitigated. CEQA requires analysis of environmental impacts; it does not require analysis of economic impacts such as property values.

Response to Comment 3-27

For the reasons described above in Responses to Comments 3-23 through 3-26, impacts from odor and construction noise would be less than significant, with mitigation where appropriate.

Response to Comment 3-28

With regard to odor, see Responses to Comments 3-23 and 12-6. Odor impacts would be less than significant, and therefore do not need to be considered in the comparative analysis of alternatives. As stated in the Draft SEIR (p. 5-1), CEQA requires a reasonable range of alternatives that could feasibly attain most of the basic Project objectives and would avoid or substantially lessen significant environmental impacts. Because noise impacts are potentially significant, the Town agrees that noise should be included in the comparative alternatives analysis. Noise is discussed in the analysis of the Smaller Footprint Alternative (Draft SEIR, Section 5.2) and the Pond S Alternative (Draft SEIR, Section 5.3). Noise was unintentionally omitted from the discussion of the No Project Alternative; this has been corrected in this Final SEIR. See Chapter 3, Revisions to the Draft SEIR.

Response to Comment 3-29

With regard to “backfilling” the liner, see Response to Comment 3-5c. A liner cover is considered an optional Project feature and has been analyzed in the Draft SEIR. For example, see data on truck trips associated with the liner cover in Table 2-2 and Table 3.6-2. This would be a cover consisting of gravel, concrete, or plastic soil cement confined in a thin layer by a system of geosynthetic grids as described on page 2-5 of the Draft SEIR. Because this option is already considered in the Draft SEIR, it is not necessary to discuss it as an alternative.

The commentor is specifically referring to the section titled Alternatives Considered but Removed from Further Evaluation, in which a clay liner is discussed (Section 5.5.3). A clay liner is no longer being considered as a feasible option because it has the poorest performance at the highest cost of the options under consideration, and would require significantly greater import of construction materials.

2.4 Native American Heritage Commission

STATE OF CALIFORNIA

Arnold Schwarzenegger, Governor

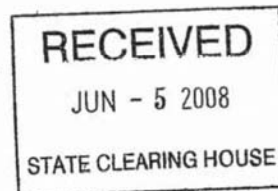
NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-4082
(916) 657-5390 - Fax



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May 20, 2008 KS

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Craig Scott
Town of Windsor
P.O. Box 100
Windsor, CA 95492

RE: SCH# 2007112013 Eastside Road Storage Project; Sonoma County.

Dear Mr. Scott:

The Native American Heritage Commission has reviewed the Notice of Completion (NOC) regarding the above referenced project. The California Environmental Quality Act (CEQA) states that any project that causes a substantial adverse change in the significance of an historical resource, which includes archeological resources, is a significant effect requiring the preparation of an EIR (CEQA guidelines 15064(b)). To adequately comply with this provision and mitigate project-related impacts on archaeological resources, the Commission recommends the following actions be required:

- ✓ Contact the appropriate Information Center for a record search to determine:
 - If a part or all of the area of project effect (APE) has been previously surveyed for cultural resources.
 - If any known cultural resources have already been recorded on or adjacent to the APE.
 - If the probability is low, moderate, or high that cultural resources are located in the APE.
 - If a survey is required to determine whether previously unrecorded cultural resources are present.
- ✓ If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure.
 - The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological Information Center.
- ✓ Contact the Native American Heritage Commission for:
 - A Sacred Lands File Check. **Sacred Lands File check completed, no sites indicated**
 - A list of appropriate Native American Contacts for consultation concerning the project site and to assist in the mitigation measures. **Native American Contacts List attached**
- ✓ Lack of surface evidence of archeological resources does not preclude their subsurface existence.
 - Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, per California Environmental Quality Act (CEQA) §15064.5(f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.
 - Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.
 - Lead agencies should include provisions for discovery of Native American human remains in their mitigation plan. Health and Safety Code §7050.5, CEQA §15064.5(e), and Public Resources Code §5097.98 mandates the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.

4-1

Sincerely,

Katy Sanchez

Katy Sanchez
Program Analyst
(916) 653-4040

CC: State Clearinghouse

Response to Comment 4-1

See Section 3.1.2 of the Draft SEIR, p. 3-3, regarding archaeological resources. As discussed in Section 4.5 of the Master Plan EIR, the potential for cultural resources to occur onsite is low. Results of previous archaeological surveys and an archaeological survey conducted for the Master Plan EIR confirmed the absence of surface archaeological resources on the Project site, although unknown subsurface artifacts could be encountered during excavation activities.

As indicated in Section 3.1.2 of the Draft SEIR, Master Plan EIR Mitigation Measure 4.5.1c has been adopted and is copied below:

Measure 4.5.1c: The Town shall incorporate the following measures into all contract specifications:

- If cultural resources are encountered during construction of the project, the contractor will avoid altering the materials and their context until a qualified archaeologist has evaluated the situation. The qualified archaeologist will conduct data recovery and implement other procedures that would render impacts to a less-than-significant level. Project personnel will not collect cultural resources. Procedures for stopping construction in the event that cultural resources are exposed will be part of the project plans and specifications. In anticipation of discovering cultural deposits, procedures will be in place so that the contractor can move on to another project segment, thus allowing sufficient time to evaluate the nature and significance of the find and implement appropriate management procedures.
- Any identified archaeological resources will be recorded by the archaeologist on form DPR 422 (archaeological sites) and/or DPR 523 (historic properties) or similar forms. In the event that prehistoric human remains are encountered, there shall be no further excavation or disturbance of the site or any nearby areas reasonably suspected to overlie adjacent human remains until the County coroner makes a determination. If the coroner determines that the remains are Native American, then the Native American Heritage Commission in Sacramento shall be contacted within 24 hours, along with the Most Likely Descendant(s) of the deceased Native American. The dignified treatment or disposition of Native American burial remains and artifacts will be agreed upon by the Town and the appropriate Native Americans in advance of construction (as provided by Public Resources Code Section 5097.98) and will be written into construction specifications.

With implementation of Master Plan EIR Mitigation Measure 4.5.1c to address archaeological resources that could be accidentally encountered during construction, no significant supplemental impacts would occur. No additional analysis or mitigation is required beyond that in the Master Plan EIR.

2.5 North Coast Regional Water Quality Control Board



Linda S. Adams
Agency Secretary

**California Regional Water Quality Control Board
North Coast Region
Bob Anderson, Chairman**

www.waterboards.ca.gov/northcoast
5550 Skyline Boulevard, Suite A, Santa Rosa, California 95403
Phone: (877) 721-9203 (toll free) • Office: (707) 576-2220 • FAX: (707) 523-0135



Arnold
Schwarzenegger
Governor

July 7, 2008

RECEIVED

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TOWN OF WINDSOR

Mr. Craig Scott
Town of Windsor
P.O. Box 100
Windsor, CA 95492

Dear Mr. Scott:

Subject: Eastside Road Storage Project, Draft Supplemental Environmental Impact Report, State Clearinghouse No. 2007112013

File: Town of Windsor Wastewater Treatment Facility

Thank you for the opportunity to comment on the Draft Supplemental Environmental Impact Report (DSEIR) for the Town of Windsor's proposed Eastside Road Storage Project.

The proposed project involves the construction of a 215 million gallon recycled water storage pond, onsite pump station and approximately ½ mile of new pipeline to connect to the Town's existing distribution system. The pond would be established by constructing an earthen dam at the western end of a drainage channel, identified as Drainage T, at the Town-owned Eastside Road property. The dam would be approximately 600 feet long at its top and approximately 115 feet high. The pond will be lined with a synthetic membrane liner to protect side slopes of the pond and restrict pond seepage. To protect the liner from possible uplift when the pond is empty, protective underdrains would be installed where necessary. The underdrains would drain back to the pond through a one-way check valve or to a sump where the water could be pumped back to the pond. The Town has selected a pond layout that maximizes the amount of storage available. Construction earthwork activities would include clearing an approximate 28-acre construction area, excavation of the embankment site and impoundment (pond) area, scarification and recompaction of the impoundment area, and construction of earthen embankments. This work will entail an estimated 590,000 cubic yards of excavation and fill. Construction activities also include concrete work for the inlet, outlet, and overflow structures, installation of a new booster pump station and associated piping, and application of crushed rock to access roads. Construction would last approximately 24 months. The pipeline would be constructed of a new pipeline up to 24 inches in diameter mainline along Eastside Road. This pipeline would connect the storage pond to the existing recycled water system along Mark West Station Road. The project will include habitat restoration

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Mr. Craig Scott

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July 7, 2008

activities in portions of the 168-acre parcel and offsite habitat restoration activities at locations to be determined, as part of project mitigation measures.

The North Coast Regional Water Quality Control Board (Regional Water Board) is a responsible agency for this project, as defined by the California Environmental Quality Act (CEQA) and is responsible for the protection of ground and surface water quality for the north coast portion of California. The Regional Water Board fulfills this responsibility, in part, by reviewing proposed projects that may impact the quality of ground or surface waters. If appropriate, the Regional Water Board issues permits on projects that set conditions necessary for the protection of water quality. As a permitting agency, the Regional water Board is defined as a responsible agency pursuant to the California Environmental Quality Act. Specifically, the Regional Water Board will consider issuance of the following permits for various aspects of the project:

1. Water Quality Certification and/or waste discharges requirements for discharges or threatened discharges associated with dredge or fill within waters of the state.
2. General Construction Activity Storm Water Permit for construction projects that result in land disturbance of one acre or more.
3. Waste discharge requirements for the land application of recycled wastewater.
4. Waste discharge requirements/National Pollutant Discharge Elimination System (NPDES) permits for discharges of recycled wastewater to waters of the state.

The Regional Water Board provided comment letters on the Town's Water Reclamation Master Plan for Treatment, Storage and Disposal Environmental Impact Report (Master Plan EIR), certified by the Town in 2001, and the November 2007 Notice of Preparation. The comments in our letters, dated November 28, 2000 and December 6, 2007 are still pertinent. We provide the following additional comments to supplement the comments previously provided:

Impacts to Groundwater.

5-1

The DSEIR indicates that the 215 million gallon storage pond will have a two foot compacted clay liner and a synthetic liner (pages 2-4 and 2-5 of the DSEIR and Attachment 1 of Appendix E). The DSEIR further states that the liner will leak at a rate that is approximately the same as the natural recharge rate (1.8 million gallons per year).

5-2

1. The inclusion of a synthetic liner is a positive step toward groundwater protection. However, we are concerned that the conclusions that were drawn on pages 3-55 through 3-60 of the DSEIR with regard to potential impacts on groundwater quality were based on many assumptions regarding factors such as groundwater flow direction, pond leakage rates, depth to groundwater, travel times for recycled water to reach groundwater, and recycled water and groundwater quality. Site-specific geotechnical and hydrologic data must be collected during design phase studies to provide further assurance that the proposed pond project will not cause adverse

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July 7, 2008

5-2
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impacts to groundwater. The DSEIR should also explain why the lowest liner leakage rate from the liner evaluation (Attachment 1 of Appendix E) was utilized. Typically, increased leakage rates can be linked to inadequate QA/QC procedures during liner installation. We would encourage the Town to carefully evaluate the contractor's QA/QC procedures and consider hiring an independent inspector to assist in minimizing liner installation problems.

5-3

2. The geotechnical memorandum in Appendix F (pages ES2, 15 and 29) states that the geotechnical studies that were conducted were for feasibility-level planning and that additional geotechnical studies are needed to develop geotechnical recommendations needed for the design of the project. When will these studies be conducted and what will they include?

5-4

3. The Town will need to meet water quality objectives in groundwater below the pond and meet State and federal antidegradation requirements as a condition of obtaining a permit for the operation of the pond. The Regional Water Board may require groundwater and vadose zone monitoring as well as performance monitoring of the liner and a quality assurance/quality control program for liner installation.

5-5

4. In addition, according to Table 3.3-1 on page 3-57 of the DSEIR, it appears that a limited amount of water quality data was used to characterize the quality of the recycled water with regard to chloride (one sample) and that some TDS concentrations were estimated based on specific conductance data. Please clarify how many samples were used to characterize recycled water quality.

5-6

5. The evaluation of potential impacts on groundwater quality does not appear to consider the potential for pollutants concentrating in stored effluent due to natural evaporation processes (e.g., when recycled water levels in the pond are low and air temperatures are high). This may prove to be a minor issue if groundwater is deep and diluting groundwater flows are present, but the analysis in the DSEIR does not provide enough information to draw definitive conclusions. In addition, in the future, the Regional Water Board may set pollutant limits for pollutants of emerging concern that do not currently have Title 22 limits.

5-7

Impacts to On-Site Wetlands

6. The project permanently destroys approximately 3,500 feet of headwater streams/linear watercourses. Linear watercourse impact is measured in length, not in area. Additionally, the drainage along the road will be permanently impacted for approximately 100 feet and be temporarily impacted for approximately 3,400 feet. Temporary impacts may be mitigated with out-of-kind mitigation. The loss of beneficial uses associated with these state waters is a significant impact. The permanent impacts (destruction) of the headwater streams must be mitigated in-kind (stream areas along with their existing and potential beneficial uses must be replaced in acreage, function and values). Regional Water Board staff has met on-site (at least 3 times), at the Regional Water Board office, and has had numerous communications with the Town of Windsor consultants. During these meetings,

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Mr. Craig Scott

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July 7, 2008

5-7
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Regional Water Board staff has reiterated the requirement of in-kind mitigation for the permanent loss of waters of the state. Habitat Equivalency Analysis (HEA), as mentioned in the document, "is an economic valuation method that quantifies ecological services flowing from habitats over time." While this method may be acceptable for assessing impacts to some beneficial uses being impacted, it does not justify out-of-kind mitigation for permanent loss of headwater streams or linear watercourses. Groups of compensatory mitigation projects may be submitted for review; however, permanent loss of linear watercourses must be mitigated in-kind at a ratio of at least 1:1 by acreage. State jurisdiction wetlands impacted by the project must also be mitigated in-kind, but creation of this type of wetland is generally possible to accomplish on-site. Compensatory mitigation must be appropriate before a Clean Water Act Section 401 Water Quality Certification can be issued by the Regional Water Board.

5-8

7. Impacts to Off-Site Wetlands/Waters of the State. The DSEIR should also evaluate the potential for impacts on waters of the State, including wetlands, that are located downstream of the proposed project due to the loss of or decrease in headwater flows. Would the impoundment of Drainage T result in a decrease in seasonal flows that could impact the function, value or beneficial uses of downstream waters?

5-9

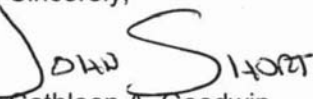
8. Cumulative Impacts. The cumulative impacts section (Section 4.1) is very short and does not provide sufficient detail to conclude that there are no significant cumulative impacts of the proposed pond project in combination with other existing projects or concurrent construction projects. For example, we are not convinced that there are no potential cumulative impacts in relation to water quality when considered together with the adjacent Sonoma County Water Agency storage pond on Mark West Station Road due to the uncertainties about depth to groundwater and groundwater flow direction.

5-10

9. Construction Stormwater. The DSEIR does not discuss the potential for construction-related impacts, although these impacts were covered in the Master Plan EIR. We concur with the consultant's recommendation that all excavation and construction work be completed during the dry season (Appendix F, page 23).

We look forward to working with the Town on this project. If you have any questions or comments regarding this matter, please contact me at (707) 576-2687.

Sincerely,


 For Cathleen A. Goodwin
 Water Resource Control Engineer

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cc: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812

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Response to Comment 5-1

The commentor states that “The DSEIR indicates that the....pond will have a two foot compacted clay liner and a synthetic liner (pages 2-4 and 2-5 of the DSEIR and Attachment 1 of Appendix E).” This statement is incorrect. The Project description discusses a synthetic membrane liner only (no clay liner, see Draft SEIR p. 2-5). A clay liner was an alternative to the Project and was removed from further consideration because it had the poorest performance at the highest cost of options under consideration (see Draft SEIR p. 5-6 for discussion of alternative liners considered, and Attachment 1 of Draft SEIR Appendix E for the Pond Liner Evaluation).

Response to Comment 5-2

Assumptions underlying the groundwater analysis were provided in the Draft SEIR to inform the reader as to the analysis used in its preparation. Best available data were used to identify the probable groundwater flow direction (see Draft SEIR p. 3-52 through 3-54). Water quality data were obtained from several sources, including the Department of Water Resources and the Town of Windsor (see Draft SEIR p. 3-56). A site-specific feasibility-level geotechnical evaluation was performed for the Project in May 2007 and is included in the Draft SEIR as Appendix F. Additional studies are planned, including field exploration and laboratory testing in order to develop detailed geotechnical recommendations needed for final design of the ERSP. These additional studies are part of the Project activity. See also Response to Comment 5-3 below.

The liner leakage rate was selected based on guidance provided in the documents referenced in Attachment 1 of Draft SEIR Appendix E, Pond Liner Evaluation. The Pond Liner Evaluation includes the leakage calculation methodology with the assumptions that a) industry-standard construction quality assurance/quality control (QA/QC) measures will be implemented during construction, and b) that there is good contact between the liner and subgrade (see Draft SEIR p. 3-55). The analysis in the Draft SEIR is based on an evaluation of the overall liner leakage rate (performance). The assumptions regarding industry standard QA/QC will be implemented during final design and construction as part of the engineering processes. Final Project design will incorporate specifications for liner installation, including review and approval of the contractor’s quality control procedures and provisions for liner manufacturer monitoring during installation (important for warranty validation). Also, all materials used in the construction of the dam must be tested and adhere to standard industry construction specifications for quality and safety, subject to oversight by DSOD.

Response to Comment 5-3

Additional geotechnical studies focused on the Project site will guide detailed engineering design of proposed Project facilities and will be used to obtain DSOD review and approval of the Project (see the Draft SEIR, p. 2-12). The studies are similar to, but more extensive and detailed than, the previous feasibility-level studies upon which the Draft SEIR analysis is based, and are phased to coincide with the preliminary and final design levels of Project development. These final design studies include additional site engineering, geologic

mapping, seismic evaluations, subsurface exploration such as borings and test pits, laboratory testing of soil and rock, geotechnical analysis, and recommendations for design of Project facilities. The preliminary investigations have been ongoing as part of preliminary design; a copy of the draft Preliminary Design Level Geotechnical Evaluation was sent to DSOD on July 10, 2008 for their review. DSOD is expected to provide guidance on the nature and scope for final investigations that would be undertaken in early 2009 if the Project is approved.

Response to Comment 5-4

The Town will meet water quality objectives in groundwater below the pond as well as state and federal antidegradation requirements (see Draft SEIR p. 2-11 to 2-13), and acknowledges that the North Coast Regional Water Quality Control Board (RWQCB) may require groundwater and vadose zone monitoring as well as performance monitoring of the liner and a QA/QC program for liner installation. The Town intends to operate the recycled water system, including the proposed storage pond, consistent with its existing waste discharge requirements (Order No. R1-2007-0013). Effluent limitations to protect groundwater quality described in the existing permit include the following requirement:

Ponds used for storage of recycled water shall be constructed in a manner that protects groundwater. The Discharger shall submit design proposals for new storage ponds to the Regional Water Board for review prior to construction and demonstrate that the pond design incorporates features to protect groundwater from exceeding groundwater quality objectives.

The analysis in the SEIR, including the Town's commitment to install monitoring wells (or piezometers) and monitor groundwater conditions (see Draft SEIR, p. 2-7), supports the conclusion that impacts to groundwater would be less than significant.

Response to Comment 5-5

Various sources were used to characterize recycled water quality, including recycled water discharge data from the Town of Windsor Water Reclamation Plant, information contained in the Town's NPDES Permit, and data reported in the Master Plan EIR (see discussion under Master Plan EIR Impact 4.2.5). This information, along with data from nearby wells, was used to assess how the Project could affect groundwater quality. For the constituents selected for the water quality analysis, the specific data points are as follows:

- Chloride. The data available to the Town to characterize the water quality of recycled water included a single chloride sample reported in the Town's *2006 Annual Report of Monitoring Results* (Town of Windsor, 2007).
- Nitrate. In addition to the Town's *2006 Annual Report of Monitoring Results*, nitrate data from the Town's NPDES permit was used (an average of 23 samples) as well as information from the Master Plan EIR (p. 4.2-32). The Master Plan EIR does not provide details regarding the data (e.g., number of samples), but states that data were collected from 1997 through April 1999 (Master Plan Draft EIR, Appendix 4.2, Water Resources).

- **Total Dissolved Solids.** TDS information from the Master Plan EIR (p. 4.2-33) was used. The Master Plan EIR does not provide details regarding the data (e.g., number of samples), but states that data were collected from 1997 through April 1999 (Master Plan Draft EIR, Appendix 4.2, Water Resources). In addition, specific conductance reported in Town's *2006 Annual Report of Monitoring Results* was used in the analysis. The Town's engineering consultants believe that TDS concentrations can be reasonably calculated from specific conductance data.

Response to Comment 5-6

In preparing a response to this comment, the change in mass and concentration in the pond was evaluated by the Town's engineering consultant by looking at projected daily piped inflows, outflows, leakage, and loss to evaporation. Evaporation was calculated based on the seasonally adjusted surface area of the pond (based on the design storage-surface area curve) and average daily evaporation rates published for the Windsor area by California Irrigation Management Information System (<http://www.cimis.water.ca.gov>, station 103: Windsor). Concentrations of constituents in the pond were calculated on a daily basis, based on total mass and volume of water to be stored in the pond.

Results of the above calculations suggest that the average concentration of a given constituent in the water leaking from the pond is expected to be about two percent greater than the concentration of the influent (calculated based on total mass leaked throughout the year relative to total volume leaked throughout the year). The calculations suggest that the peak concentration would be nine percent greater than the concentration of the influent, as the pond approaches dry conditions at the end of the summer irrigation season. However, it is expected that seasonal changes in pond concentration will not be observed downgradient in the groundwater, due to long travel times through the vadose zone to (at least 15 years to get to the water table, which is deep) and diffusion and dispersion in the vadose zone and groundwater system (see discussion of diffusion and dispersion under Impact 3.3-3 of the DEIR).

Average pond concentrations used for predictions of concentrations in downgradient groundwater (Table 3.3-2) are slightly higher than the recycled water concentrations presented in Table 3.3-1, and are consistent with a two percent increase in concentration due to evaporation in the pond. Therefore, the predicted downgradient concentrations do include the effect of increased concentration in the pond due to evaporation. The estimated average increase in concentration is not enough to drive TDS, chloride, or nitrate concentrations of water leaking from the pond above Title 22 standards, based on recycled water concentrations presented in Table 3.3-1.

With regard to pollutants of emerging concern, the Town understands that future updates to its existing NPDES Permit (Order No. R1-2007-0013) and Master Reclamation Permit will have to comply with any new pollutant limits required by the RWQCB, including the Title 22 criteria effective at the time of the update. For a discussion of potential impacts from pollutants of emerging concern, see Draft SEIR Impact 3.3-5 (p. 3-60).

Response to Comment 5-7

As described in Impact 3.2-4 in the Draft SEIR, construction of the Project would result in permanent impacts to approximately 3,529 linear feet of intermittent drainages (Drainage T) and approximately 100 feet of roadside drainage. Additionally, as described in Impact 3.2-3, approximately 3,455 linear feet of roadside drainages would be temporarily impacted during construction of the pipeline proposed along Eastside, Trenton-Healdsburg, and Mark West Station Roads. The Draft SEIR considers the permanent impacts and loss of beneficial uses associated with the drainages to be a potentially significant impact. However, with the proposed mitigation in the Draft SEIR, this impact would be reduced to less than significant. This is consistent with the findings in the certified Master Plan EIR. Master Plan EIR Impact 4.4.2 found that construction of storage ponds could result in permanent and/or temporary impacts to potentially jurisdictional waters (Master Plan EIR p. 4.4-30), which include the intermittent drainages referenced for the Project. This impact was found to be less than significant with the inclusion of Mitigation Measures 4.4.2a through 4.4.2g.

Town representatives have met with various RWQCB staff (John Short, Stephen Bargsten, and Cathy Goodwin) on numerous occasions to discuss the Project, jurisdiction of State Waters on the Project site, and potential impacts and mitigation. Meetings have occurred onsite or at RWQCB offices on July 11, 2007; December 20, 2007; February 8, 2008; and May 21, 2008. During the May 21, 2008 meeting, the use of a Habitat Equivalency Analysis (HEA) was discussed as a way of developing appropriate mitigation for impacts to drainages. An HEA provides a commonly accepted methodology to measure and compare natural resources value under various scenarios. Based on RWQCB requests during the May 21, 2008 meeting and in its July 7, 2008 Draft SEIR comment letter to the Town, the Town confirms that it will mitigate permanent impacts to linear watercourses in-kind at a ratio of at least 1:1 by acreage, unless otherwise agreed upon by the RWQCB and other regulatory agencies during the permitting process. This has been incorporated into Mitigation Measure 3.2-4 (see Chapter 3, Revisions to the Draft SEIR). The Town will mitigate permanent impacts to drainages (stream area along with existing and potential beneficial uses) in terms of acreage, function, and value. Wetlands must also be mitigated in-kind. The Town will implement compensatory mitigation appropriate for the RWQCB to issue a Clean Water Act Section 401 Water Quality Certification and will be coordinating closely with RWQCB staff to assure appropriate mitigation (see Draft SEIR pp. 3-7 and 3-33 through 3-35).

Response to Comment 5-8

Jurisdictional waters downstream of the Project include the intermittent roadside drainage along Eastside Road north of its confluence with Drainage T; Benoist Pit (a perennial lake formed by the abandonment of a gravel pit located in Riverfront Regional Park); the watercourse between the Eastside Road roadside drainage and Benoist Pit; and the Russian River (see Draft SEIR p. 3-17).

Figure 7 in the *Revised Delineation of Wetlands and other Waters for the Eastside Road Storage Project* (CH2M HILL, 2008b) (Appendix D5 of the Draft SEIR) shows the direction of flow and hydrologic connection of the wetlands and waters in the Project study area to

downstream drainages and Waters of the State. No delineation of wetlands has been performed for areas outside of the Project study area downstream of Drainage T. However, based on review of aerial photographs and field observations made during biological surveys for the Project, there do not appear to be any wetland features, other than fringe freshwater marsh wetlands associated with both the Benoist Pit and the Russian River. Downstream Waters of the State are located in the Guerneville Hydrologic Sub-Area of the Russian River Hydrologic Unit.

Functions and values for the intermittent drainages downstream of the Project site are similar to those for the aquatic resources on the Project site, including aquatic and terrestrial wildlife habitat, sediment trapping, pollutant filtering, and recycling of nutrients. In addition to these, the perennial Benoist Pit and the Russian River have flood flow storage and conveyance and groundwater recharge and discharge functions. Values for the Benoist Pit and Russian River include recreation (boating, fishing, swimming, wildlife viewing), water supply, flood protection, and open space and visual aesthetics. Existing and potential beneficial uses for downstream state waters are the same as for onsite drainages as described in Section 3.2.1.4 and listed in the Water Quality Control Plan for the North Coast Region (RWQCB, 2007).

The impoundment of Drainage T by the dam (see Draft SEIR Figure 3.2-1) will have a less than significant impact due to loss or decrease in headwater flows in downstream drainages, the Benoist Pit, and the Russian River (including fringe freshwater marsh wetlands). This is because the drainage area for the Russian River (approximately 950,400 acres, or 1,485 square miles) is much larger than the drainage area of Drainage T that will be impacted by the Project (approximately 40 acres [0.0625 square mile], or approximately 0.004 percent of the overall Russian River watershed). The watersheds for the roadside drainages downstream of the Project have not been quantified; however, the roadside drainages collect flows from the unnamed hills east of Eastside Road, from its intersection with Trenton-Healdsburg Road north to Riverfront Regional Park. Because of continuing flows from these other areas, decreased flow from Drainage T is not expected to affect functions and values of downstream waters or wetlands.

Response to Comment 5-9

The Town disagrees that the analysis of cumulative effects is very short – the SEIR is a supplement to, and incorporates by reference, the Master Plan EIR. The cumulative effects discussion in the Draft SEIR summarizes and updates the cumulative effects analysis in the Master Plan EIR. The SEIR notes that most of the cumulative projects in the Master EIR have been completed and that “no other projects are expected to be under construction at the same time as the proposed Project.” The discussion of cumulative impacts in Section 4.1 of the Draft SEIR, together with the Master Plan EIR, adequately analyzes cumulative impacts.

The Master Plan EIR evaluated the cumulative effects of the Water Reclamation Master Plan, including the effects of implementing the Master Plan together with the Sonoma County Water Agency storage pond on Mark West Station Road (Ocean View Reservoir, referred to in the Master Plan EIR as “SCWA’s Pond D”; see p. 5-8). The Master Plan EIR concluded that “Although [Ocean View Reservoir] is also located in the general area of Pond T, the two

ponds are separated by an intervening ridgeline, and are located within separate sub-watersheds” (see Master Plan EIR p. 5-8). For this reason, the Master Plan EIR concluded that the potential for the Project (Pond T) to contribute to cumulative impacts associated with the Ocean View Reservoir is low (Master Plan EIR p. 5-8).

Unlike the Project, Pond S is in the same sub-watershed as the Ocean View Reservoir and as a result was more thoroughly investigated in the Master Plan EIR for cumulative impacts (Master Plan EIR pp 5-9 and 5-10). Master Plan EIR Impact 5.4 specifically addresses the potential for the infiltration of recycled water from Pond S into the groundwater table and its cumulative contribution to the water quality of Ocean View Reservoir. The impact was considered reduced to a less than significant level due to liner permeability requirements. Since the ERSP is both located in a separate sub-watershed from Ocean View and is adhering to the same liner permeability requirements, the cumulative analysis presented in the Master Plan EIR was determined sufficient and no additional cumulative analysis is required.

Response to Comment 5-10

As described in Section 3.1.1 of the Draft SEIR, construction-related impacts were analyzed in the Master Plan EIR. Mitigation measures adopted upon approval of the Master Plan continue to apply to the Project. The Draft SEIR summarizes these measures on p. 3-2.

2.6 Permit and Resource Management Department, County of Sonoma



COUNTY OF SONOMA PERMIT AND RESOURCE MANAGEMENT DEPARTMENT

2550 Ventura Avenue, Santa Rosa, CA 95403-2829
(707) 565-1900 FAX (707) 565-1103

July 7, 2008

Craig Scott
Town of Windsor Engineering Division
Public Works Department
8400 Windsor Road, PO Box 100
Windsor, CA 95492

Re: Comments on DSEIR for Eastside Road Storage Project

Dear Mr. Scott,

Thank you for the opportunity to review and comment on the Town of Windsor's Eastside Road Storage Project Draft Supplemental Environmental Impact Report (DSEIR). The document assesses a broad variety of potential impacts resulting from the installation and operation of "Pond T" at Eastside Road. The County offers the following comments related to the adequacy of impact assessment and mitigation in several specific areas:

6-1

Mixed Oak Woodlands. The DSEIR, on page 3-5, states that "a substantial increase in the severity of impacts to mixed oak woodlands previously identified in the Master Plan EIR could occur." Oak woodland vegetation communities are protected by state law (Public Resources Code §21083.4) and represent an important sensitive natural community. The law protects oaks of five or more inches DBH. A project has a significant impact on oak woodlands if it would diminish the size or the habitat value through a substantial loss in the tree canopy. The loss of 28 additional acres of mixed oak woodland is thus a very significant loss. It is questionable that the Town's offer to preserve 82 acres of existing mixed oak woodlands on the Town's property is adequate mitigation without establishment of a perpetual open space easement recorded against the property.

6-2

Tree Loss. Volume II of the DSEIR does not contain a Tree Inventory, but rather a summary of the total loss of native trees that does not indicate the location of impacted trees that may be within the County's jurisdiction. The summary does indicate that well over a thousand native trees will be lost, both as a part of the mixed oak communities and otherwise. The proposed mitigation, however, is limited to the "preservation" described above, and a very limited attempt at a replanting program of acorns and seedlings in 3 very small "potential" replanting areas. This mitigation is inadequate to address the overall loss of trees.

6-3

Impacts to trees under the County's jurisdiction have not been identified in the DSEIR. Beyond the significant tree loss on the Town's parcel, trees within the County's jurisdiction are apparently also significantly affected:

" . . . pipeline construction could impact trees along Eastside Road, Trenton-Healdsburg Road, and a very short distance along Mark West Station Road. If pipeline construction occurs under the canopy or dripline of a tree, the rootzone could potentially be affected, damaging and/or killing the tree."

County staff note that these roadsides contain a large number of trees on steep slopes. Any work performed within the rootzone of these trees would likely cause destabilization to the point that removal of the trees is necessary to protect the public safety.

- Because impacts to trees within County's jurisdiction have not been identified, the County is unable to assess whether or not impacts have been adequately mitigated. Mitigation measure 3.2-1a states that
- “(p)lacement of the (pipeline trench) shall be outside the dripline and away from trees roots to the degree feasible. . .”
- While mitigation measure 3.2-1b requires that
- 6-3 (cont.) “An arborist shall walk the pipeline route with project engineers to identify any significant trees that will need to be removed or damaged, and identify potential ways in which impacts may be avoided or minimized through construction techniques or site plan changes.”
- This is not a mitigation measure; it is deferred impact assessment. The County requests that this measure take place as a part of this DSEIR so that these impacts can be identified and properly analyzed, and adequate mitigation proposed. The mitigation plan should identify how the identified changes to the site plan or construction methods will be made a part of the project and monitored. Where this assessment shows that impacts to trees within the County's jurisdiction cannot be avoided, mitigation fees should be paid to the County Regional Parks Department pursuant to the County's Tree Protection ordinance.
- 6-4 Wildlife Habitat Linkages. The DSEIR, at page 3-20, notes that wildlife linkages were determined at a very large scale and only generally mapped such that “the data does not clearly show if the linkage lies within or adjacent to the Project area.” At 3-38, this impact is discussed in more detail, and notes that “no management plan has been written for this linkage.” The discussion concludes that impacts would be “less than significant,” without assessing or quantifying the extent of the impact.
- The County requests that the DSEIR better analyze potential impacts of the proposed project, both during construction and following revegetation, along the Russian River riparian corridor as well as along the lesser ephemeral draws. A diagram should be included. If the proposed project, access roads, pump house, dam and/or project fencing could hinder wildlife migration, those impacts should be disclosed and mitigated to the extent feasible.
- 6-5 Aesthetics. Photomontages prepared for the proposed project from the public right-of-way should be revised to reflect project fencing.
- If you have any questions about this letter or County policies, please feel free to contact me at (707) 565-7389, or by email at jriley1@sonoma-county.org.

Sincerely,

Jane Riley, Planner III
Comprehensive Planning

cc: Pete Parkinson, PRMD Director
Jennifer Barrett, PRMD Deputy Director
Paul Kelley, Supervisor
Greg Carr, Comprehensive Planning Manager
Rich Stabler, Environmental Specialist
Ken Giovannetti, Dept. of Transportation and Public Works

Response to Comment 6-1

The Town recognizes that the loss of 28 acres of mixed oak woodland is a significant loss that cannot be mitigated to a less-than-significant level (see discussion under Impact 3.2-1 in the Draft SEIR). As described in the Draft SEIR, four mitigation measures are proposed to reduce the extent of the impact: Mitigation Measure 3.2-1a to avoid impacts to trees to the degree feasible, Mitigation Measure 3.2-1b to implement a Tree Protection and Preservation Plan, Mitigation Measure 3.2-1c to replant disturbed areas, and Mitigation Measure 3.2-1d to preserve mixed oak woodland elsewhere on the property. Mitigation Measure 3.2-1d states that “[p]reservation of mixed oak woodlands will require a conservation easement or other tool for ensuring that preservation is in-perpetuity.” In other words, the Town agrees with the commentor’s suggestion that anything less than permanent protection would be inadequate, and is proposing to adopt Mitigation Measures 3.2-1d as stated in the Draft SEIR.

The Town is not subject to Public Resources Code Section 21083.4. This code section mandates minimum standards for tree mitigation if a county makes a finding, in connection with determining whether a Negative Declaration or EIR should be prepared, that a project may result in a conversion of oak woodlands that will have a significant effect on the environment. The Town of Windsor, not Sonoma County, appropriately made the finding that a supplemental EIR should be prepared for the Project. With regard to Sonoma County jurisdiction, please see Response to Comment 6-3 below.

Response to Comment 6-2

The complete tree inventory report is 139 pages long, and the Town determined that publication with the Draft SEIR was not warranted as relevant information was adequately presented in the summary document. To assist the commentor in determining jurisdiction (see Response to Comment 6-3 below), a copy of the report has been forwarded to the commentor under separate cover. The complete report contains a list of trees (by assigned tree number) and maps showing the distribution of trees by age, condition, and species. The report did not include a map showing the tree numbers by location on the Project site; because of the number of trees, including such a map at scale suitable for printing with the Draft SEIR would have been most difficult to decipher.

With regard to the adequacy of the mitigation, Mitigation Measures 3.2-1a through 3.2-1d provide a comprehensive suite of measures and are adequate under CEQA. The Town acknowledges, however, that the measures will not reduce the impact to a less-than-significant level; the impact to oak woodlands is significant and unavoidable.

Response to Comment 6-3

The comment suggests that the Draft SEIR did not adequately analyze tree impacts along Eastside Road, Trenton-Healdsburg Road, and Mark West Station Road. The Town disagrees and believes that the tree impact analysis in the Draft SEIR is adequate. Although final design of the pipelines along Eastside Road, Trenton-Healdsburg Road, and Mark West Station Road has not been prepared, the Draft SEIR makes a reasonable assumption

(based on the Preliminary Design Report) that pipeline construction would occur along the paved roadway and no direct tree impacts would occur (see Draft SEIR p. 3-27). As the commentor notes, however, indirect impacts could occur as a result of construction operations (e.g., severing roots that run under the paved roadway during trench excavation), which could lead to tree mortality (see Draft SEIR p. 3-27). Affected trees would be on the Town-owned side of the roadways because of the location of the pipeline trenching. At this time, no tree roots associated with County-jurisdiction trees are expected to be impacted during pipeline construction. Trench alignment will be finalized during final design, which has not yet started. Mitigation Measure 3.2-1a also includes onsite inspections by an arborist prior to construction so that the arborist can inform the construction contractor of ways to minimize or avoid damage. Other mitigation measures identified in the Draft SEIR to reduce impacts to tree roots under the roadways are located on pg. 3-28: “a qualified arborist shall be present to monitor potential root cutting,” and “when trees protected by the Town’s ordinance are to be removed adjacent to trees to be avoided, removal of trees that extend into the branches or roots shall not be attempted by demolition or construction personnel, but by a certified arborist or tree worker.”

The Town has prepared a robust tree inventory and impact analysis based on the extensive amount of available information, and has publicly disclosed the nature and extent of its impacts on oak woodlands in its Draft SEIR. The exact number of trees (and roots and branches) that will be impacted cannot be determined with 100 percent accuracy until construction is underway, and the Town is adopting mitigation measures to assure the minimization and avoidance of tree impacts where feasible during construction.

Tree impacts will be addressed and mitigated by the Town of Windsor as the ERSP property is within the Town Limits. A small number of trees affected during pipeline construction along Eastside Road, Trenton-Healdsburg Road, and Mark West Station Road might be under the jurisdiction of Sonoma County rather than the Town of Windsor. If that is the case, then any impacts would have to be mitigated pursuant to applicable Sonoma County standards. In order to assure that jurisdictional boundaries are respected, the Town will confirm its boundary during final design and Sonoma County Permit and Resource Management Department (PRMD) will be contacted, if necessary, to determine any tree permit requirements. The tree inventory and impact analysis presented in the Draft SEIR, however, remain accurate and adequate under CEQA.

Response to Comment 6-4

The discussion on Draft SEIR p. 3-20 summarizes work by others (the California Wilderness Coalition) to describe important wildlife habitat linkages at a statewide level, which identifies the Russian River corridor as an important landscape corridor. The qualitative analysis under Impact 3.2-8 makes a reasonable determination that the Russian River landscape corridor is not likely to be significantly affected for the following reasons:

- Although the proposed pond would remove an area that currently provides for east-west movement between the Russian River and the ridgelines and drainages in the Project area, there are other sufficient areas north and south of the pond that would continue to provide unimpeded east-west movement.

- The pond design preserves access between the north and south sides of the pond, thus further maintaining opportunities for movement between the ridgelines and the Russian River. Relevant design features include adequate space for wildlife movement preserved between the pond and pump station (580 feet) and terraced ledges along the finished face of the dam.
- Wildlife will still be able to use the north-south habitat linkage that is east of the pond.

This analysis is sufficient to support its conclusion that impacts to the Russian River landscape corridor would be less than significant.

Response to Comment 6-5

The fence around the pump station is described in Section 2.4.2 of the Draft SEIR:

A fence approximately eight feet high, such as chain-link with privacy slots [sic] plus barbed wire, and a gate would be installed for security.

The visual simulation from Observation Point 1 (Figure 3.4-2) shows a chain-link fence with privacy slats, approximately 8 feet high. It does not show barbed wire. The visual simulation accurately depicts the fence concept as it is known at this time based on preliminary design. Please note that the fence is obscured from view in Figure 3.4-4, which is a visual simulation showing the pump station with mature landscape screening.

2.7 State Water Resources Control Board



State Water Resources Control Board

Division of Water Rights
1001 I Street, 14th Floor ♦ Sacramento, California 95814 ♦ 916.341.5300
P.O. Box 2000 ♦ Sacramento, California 95812-2000
FAX: 916.341.5400 ♦ www.waterrights.ca.gov



Arnold Schwarzenegger
Governor

JUL 16 2008

Craig Scott
Town of Windsor
PO Box 100
Windsor, CA 95492

RECEIVED
JUL 21 2008
TOWN OF WINDSOR

In Reply Refer
to: EIO:266

Dear Mr. Scott

COMMENTS ON NOTICE OF COMPLETION FOR EASTSIDE ROAD STORAGE PROJECT,
TOWN OF WINDSOR

This letter responds to the Notice of Completion received from the State Clearinghouse for the Draft Supplemental Environmental Impact Report (EIR) prepared by the Town of Windsor for the Eastside Road Storage Project. Based on a preliminary review of the environmental document, it appears that the proposed project may require a water right permit, wastewater change petition, or both. If the project will divert or use water that is subject to the State Water Resources Control Board Division of Water Rights' (Division) permitting authority then a water right permit will be needed. Additionally, before making any change in the point of discharge, place of use, or purpose of use of treated wastewater, the owner of any wastewater treatment plant may need to obtain approval of the board for that change in the form of wastewater change petition.

7-1

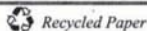
The Division will be a responsible agency for this project should a water right permit or waste water change petition be needed. In the event that we are a responsible agency, we will need to rely on the Town's EIR to fulfill our responsibilities under the California Environmental Quality Act. Accordingly, the Town should evaluate the need for a water right permit or wastewater change petition and update the EIR project description to include the proposed water right permitting and/or petition actions to the extent they are needed. Environmental analysis associated with any required water right action should include, but not be limited to, an evaluation of the reduction in flow and associated ecological effects in any watercourse that would be affected by the project.

Please feel free to contact me at (916) 341-5384 or by email at eioppenheimer@waterboards.ca.gov if you have any questions regarding this matter.

Sincerely,

Eric Oppenheimer, Chief
Russian River Permitting Unit

California Environmental Protection Agency



Response to Comment 7-1

In response to this comment letter, representatives of the Town contacted the Division of Water Rights to discuss the referenced permit processes in more detail. Additional language has been added to Section 2.5 of the SEIR (Required Approvals) acknowledging the potential requirement for a Water Rights Permit and a Wastewater Change Petition (see Chapter 3, Revisions to the Draft SEIR, in this document). The Town will submit a Water Rights Application if it is determined to be needed. There is no proposed change to the point of discharge, place of use, or purpose of use described in its current NPDES discharge permit (Order No. R1-2007-013), and therefore the regulatory need for a Wastewater Change Petition is unclear. However, the Town will submit a Wastewater Change Petition if it is determined to be needed.

The Town agrees that the Division of Water Rights would be a CEQA responsible agency for the Project if there is a need for a water right permit or wastewater change petition. The CEQA processes for the ERSP, including both the Water Reclamation Master Plan EIR and this SEIR, provide the necessary analysis for the Division of Water Rights to act as a Responsible Agency for these actions. Changes in flows and water quality in the Russian River and Mark West Creek are analyzed in Sections 4.2 and 4.3 of the Master Plan EIR, and associated ecological effects are analyzed in Section 4.4 of the Master Plan EIR. The analysis is supplemented by additional consideration of ecological effects to drainages downstream of the proposed pond in Section 3.2 of the Draft SEIR.

2.8 Oral Comments Received During Public Hearing

TRANSCRIPT

Eastside Road Storage Project Draft SEIR

This document is the transcript of public comments on the Draft Supplemental EIR for the Eastside Road Storage Project. The comments were provided at the Town of Windsor Town Council Meeting on June 18, 2008.

Good evening, my name is Greg Young, I live at 7200 Trenton-Healdsburg Road. I have the following concerns.

8-1 [First of all, impact on habitat, particularly during construction. Because I live right across from the property. I know that it holds fox, coyote, certainly a red-shouldered hawk, and possibly a red-tailed hawk. And it's a flyway for heron. So we're very concerned that those animals not be disturbed.

8-2 [As I think you know, there's an existing county pond in that general vicinity and I hope that you are also aware that it leaks. With that in mind, I would say that no one knows how to build a leak-free pond on that property. It's been demonstrated because we have one and it does leak. So I am concerned about any pond put there, particularly one that says it's going to use the latest technology, which raises a red flag. Does that mean it's the first time it's been used? We need to look into that please.

8-3 [Another item of my concern is noise from the pump station. It's not going to affect me where I live but, if it's noisy enough, it will certainly disturb wildlife.] 8-4
Mention was made that soil is going to be reused to create the dam. Does that imply that the soils have been tested and are proper for use in the dam. I'd like that confirmed.

8-5 [And finally, both Eastside and Trenton-Healdsburg Roads are Class F. They really have no underpinning whatsoever, so that any construction or increase in use by heavy equipment is likely to cause damage to the road, possibly collapse. I hope that's been taken into consideration. Thank you very much for your time.

Mayor Fudge and members of the counsel, great to have an opportunity to talk to you. My name is Robert Hopkins, I live at 8300 Eastside Road.

I've lived there for fifty-five years, not far from the site, and I'd just like to remind you that at least before incorporation there were numerous other wastewater storage site ponds within the city limits or at least within the sphere of influence proposed and those evaporated over the years through the planning process. So don't want to be a NIMBY because I'm resigned to the fact that this is going to be in my backyard, but I'd like to see it be something that we can live with.

9-1 [I'd like to suggest or request that we maybe have another look at the visual impact of the pumping station which is directly adjacent to Eastside Road. Looking at the aerials, to me it

9-1
(cont.)

appears that at least one of the large staging areas might be an alternate site which would provide more existing vegetation as a visual cover for the pump station. And I would cite the Oceanview reservoir pumping station in the county which I think is kind of an eyesore. The chain-link fence and lavender pumps and so on, really tends to degrade the area visually.

9-2

I'd also like to address the schedule – the construction schedule and closures on Eastside Road – and request that if possible the construction scheduling be made so that that closure does not interfere with the grape harvest because there's a lot of truck traffic that goes from vineyards just north of here toward wineries over in the airport area or Sebastopol.

9-3

And I'd also like to request, in terms of both visual impacts and the habitat question that you asked regarding the terraces which I guess are going to be constructed to provide pathways for wildlife, that the city take a look at what was done with some of the better-constructed berms on some of Kaiser-Hansen gravel reclamation where the tops of some of the levees and berms were rounded to sort of simulate the rounding of hills as opposed to the just flat-top effect that was done with the county water agency's site over on Mark West Station Road that just kind of sticks out as hey this is a reservoir, like it or lump it. Whereas with a little more care something that fits in to the environment might be achieved.

But would really like to have another look at the pumping station, see if there is a possible site somewhere that might be able to utilize native vegetation, not rely on the revegetation, which will take a number of years to really gain the effect that's shown in the photograph. Thank you.

I'm Hal Beck, and I'll use a business address – 9001 Windsor Road. But I'm speaking personally as a twenty-some-odd year resident of 8492 Templeman Road in Forestville, where for all that time Eastside Road is how I got to Windsor.

10-1

And I think a two month closure is a little much. I'm also speaking as a former production worker at Mark West Vineyards and also speaking as former president of the Russian River Wine Road. I think two months is a long time to have that highway closed. I'm saying highway because, for many of us who lived in that part of the world, it is a major north-south connector from Sebastopol, on and on, to Windsor and onto Healdsburg as well. So that's the only concern I'd like to express. Thank you.

I'm Jim McDonough 371 Mark West Station Road. And I'm with Andy Gustavson of Landmark Planning and you're right about this being a long night, but finally made it to the podium so we'll try not to make it longer.

11-1

We're going to submit some written comments as well, but we did want to touch on a few points. One being proximity, another being noise, another being air quality, visual impact, and hours. I personally agree with some of the comments Robert was making about visual impact. I think there should be some more creative thinking there. And obviously we're kind of at ground zero so we have a lot to live with for a long time. And it's a beautiful area, and we want to see it stay that way. And, you know, I think there may be an opportunity to

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11-1
(cont.) do something that appeases both the landowner and the needs of the Council and the city. So Andy Gustavson is going to take you through a couple points in detail.

My name is Andy Gustavson. I'm a land use planning consultant, Landmark Planning. My address is 2360 Mendocino Avenue, number A2280. First off, I'd like to acknowledge the staff that worked with us. They met with us repeatedly over this time while the draft EIR was being prepared and kept us apprised of the project process and status. We did talk about the visual screening proposal and staff was very accommodating in providing us with a simulation showing how this project might appear from Mr. McDonough's property. And that was very helpful for us to understand what to anticipate with the project. And has shaped many of our comments tonight and what we'll be submitting on the seventh.

12-1 First, in reviewing the EIR, one comment I have is that the intent of the EIR is stated upfront for the project and there's nothing in there that really states what the Council asked last August regarding, in addition to the other criteria of the project, but also that the project be designed in a way that fits the landscape. That it not appear as an industrial facility. I think it's appropriate that at the onset that that idea be stated up front and help shape the review of the project.

12-2 As Jim noted, the main issues that we have tonight all have to do with proximity. He is probably from the property line somewhere around 200 feet from the edge of the disturbance on that easterly side of the pond. So there's going to be substantial issues that we need to deal with regard to noise, air quality, and visual screening. And I was a little bit surprised that in the presentation tonight that there was really no discussion about noise or air quality. We did hear about visual screening. I think that the approach that the Town is willing to take with the property owner is a good one. Obviously there is some more definition that's needed in terms of the landscape planting. It is my hope that the EIR would in fact begin to lay out what would landscape screening be. You know, in terms of a schematic or a conceptual layout for privacy protection or screening along that east side. So I think that it would appropriate to have something in the EIR document addressing that issue.

12-3 But with regard to noise and air quality, the main noise issue is the noise during construction. There will be grading activity taking place very close to the property line. And given the hours of construction that are permitted by the city and anticipated for this project, there will be substantial periods during weekends and possibly holidays even that this project will be going full guns and the resident is just going to have to grin and bear it. So one of our comments would be, let's scale back certainly the weekend construction hours and explicitly say no construction activity on site during holidays. It's a reasonable accommodation to help protect the enjoyment of the property owner while he's living on the property.

12-4 The other issue that wasn't discussed was air quality, I had one question. Isn't diesel an air toxic contaminant and wouldn't there be diesel emissions during construction? And doesn't that rise to the level of need for assessment? It's a question mark in my mind.

12-5 The other was odor, there was an appendix in the study that talked about the potential of odor being generated by the pond. And basically the conclusion was that there would be

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3

12-5
(cont.)

negligible odor given the treatment of the wastewater. By the time it gets to the pond, that it wouldn't be substantial, it wouldn't be a significant impact. The problem is negligible to who? If you're outside and you're smelling anything that's different than today it's maybe not considered negligible, it might be considered significant.

12-6

Furthermore, I think the analysis really only focused on during the pond-full condition. It really didn't talk much about the condition when the pond is drawn down. And I'm wondering is that a different situation where possibly accumulated organic matter within the water might get up on the wetted edge and thus begin to generate a different kind of odor than what might come from a pond full of treated wastewater. So I ask that that issue be explored a little further.

So, to summarize, I think there really needs to be something up front in the environmental document that gets more at the Council's direction at more of a naturalized looking pond. So I support the comments made earlier about the treatment of levee tops or berms and such. And hope that the noise and air quality issues get picked up. Thank you.

[The following comments were made by Mayor Debora Fudge.]

13-1

The habitat corridor has always been one of my biggest issues, and the Supplemental EIR talked about that the corridors weren't officially mapped (I'm going to get the wording wrong) by the state. So there wasn't an official corridor designated by the state for these animals to migrate north, south, east, or west. It wasn't designated officially, so that was one of the reasons the migration was considered not significant. I would disagree with that and say that it is significant to me. And I know that the habitat is pinched. The corridor is going to be pinched near Mr. McDonough's property and now it's also pinched where the pump station is. And so I don't want animals of any kind to get to one side of the pond and then see that there isn't any enough room for them to get by and then some of them won't be able to figure out how much further they have to go around. I want them to be able to traverse where they want to traverse. So specifically I wanted to make sure the terraces were wide enough and friendly enough that a deer would feel comfortable walking on them. I don't know if you can landscape terraces – maybe there can be some trees so that it looks like their natural habitat where they could traverse. I'll be watching to make sure that the habitat corridor between Mr. McDonough's and our actual fence line is wide enough for animals to get through as well – I've been told it is, but it's narrow.

13-2

And this is sort of a weird mitigation measure but the trees... We'll be doing a conservation easement or something in perpetuity to mitigate at least 82 acres of this in the future but there's still (this wasn't considered because this is sort of a new thing) but there's still the greenhouse gases that will be emitted from cutting down the trees and hauling them who knows where. And then there will be greenhouse gases emitted if they are burned as firewood. I've brought this up before and then I talked to Matt about it recently – I'd like to see these trees milled as closed to Windsor as possible. Whether sometimes milling can be done onsite, I don't know if there's room there because of the terrain. Maybe milling can be done, you know, within 50 miles. I'm not sure – there used to be a mill in Cloverdale. I've asked staff to look into that and I'd like the reuse of the trees to be local. I'd like us to build something with this wood or do something to honor these trees whether we do something

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- 13-2 (cont.) in the Town Green, and you know, just something so that there's less transportation of this wood and so that the wood isn't being burned. It's not a mitigation for the loss, but it is a mitigation for carbon that will be produced because of there disposal so to speak. So that is a stretch but it's an actual environmental comment.
- 13-3 And we've already talked about, this isn't an environmental comment, but you know that the screening for Mr. McDonough's house could be...he would chose it and it would be planted as soon as possible. So that he's got a head start on the screening for aesthetics before the pond is built.
- 13-4 I also would like to see the pond fencing and the road look more natural. I know that it's not like a square and there's a little bit of undulation around it, but I agreed with the speaker that said it could have a more natural looking berm on the top. The road be as narrow as possible, the fencing be as benign looking as possible. The Ocean View Pond is ugly. It does leak. I ride my bike out on that ride - there's slime coming from under, it has been for at least 4 years. Don't want our pond and our pumping station to look like that.
- 13-5 In terms of the pumping station, Bob said maybe it could be relocated slightly so that more natural existing vegetation could be used. I'd be in favor of that. I don't know that there is any room to move on that area - it doesn't look like much - but even though it looked like the statement was that we would try to keep some of these trees, and still when you look at it they're all gone. So I'd like us to really figure out how to build this pumping station to keep these existing, mostly oaks, or at least some of them interspersed with the trees that we're going to plant so that it looks more natural. Because it doesn't look natural here. And it looks like, to me it looks like there's going to be room to save more that what we did. I'd like each tree to be looked at individually. Instead of just, it's easy to take out twenty feet. Like we did on Conde Lane, we looked at each tree individually.
- 13-6 And then the lining of the pond. Best available technology was probably referring to the actual the lining but we were talking about, offline, about a honeycomb that could be put on top of they liner with dirt and, I don't want to say cement, but binding material that goes into the honeycomb that covers the whole bottom of the pond and then goes up the sides. So that (a) it protects the lining of the pond, and then (b) the pond looks more natural when it's empty. It looks like dirt instead of this slick empty swimming pool so that it would help the view from Mr. McDonough and it would also probably help preserve our liner. And I'm not sure if that's what you meant about best available technology but I call it honeycomb because that's the best way I could describe it. I'd like to make sure that's incorporated as a mitigation measure for both the protection of the liner and also for the aesthetics for the homeowner.

Response to Comment 8-1

Wildlife surveys were conducted in 2007; a list of observed species is included in Draft SEIR Appendix D. The list includes fox, coyote, red-shouldered hawk, and red-tailed hawk. Minimizing impacts to common wildlife species is required pursuant to the Master Plan EIR – see Mitigation Measure 4.4.6 (p. 4.4-50), which states the following:

Contractors shall use BMPs to avoid disturbance or direct mortality to common wildlife species. These may include: covering all open trench areas at the end of work days, providing escape ramps, and checking trenches daily for trapped wildlife.

This mitigation measure was previously adopted to reduce impacts to a less-than-significant level, and remains in effect for the Project.

In addition, Mitigation Measure 4.4.3 in the Master Plan EIR -Responses to Comments p. 3-6) requires avoidance of construction during the breeding season for bats, raptors and passerine birds, or the use of buffer zones if complete avoidance is not possible. This mitigation measure was previously adopted to reduce impacts to a less-than-significant level, and remains in effect for the Project.

Response to Comment 8-2

During preliminary engineering evaluations and preparation of the Draft SEIR, the Town consulted with the Sonoma County Water Agency (SCWA) and DSOD to obtain information on design, construction, and performance issues at SCWA's nearby Ocean View Reservoir because it is located in the same geologic formation as the Project. As the commentor notes, it is readily apparent that considerable seepage from the Ocean View Reservoir is occurring. The Ocean View Reservoir was built with a compacted soil liner of native sandy soils, rather than the geomembrane liner proposed for the Project.

The proposed geomembrane liner is a proven technology with a satisfactory performance history over many decades. Its calculated leakage rate of 450 gallons per acre per day (see Draft SEIR, Appendix E, Hydrogeology Technical Memorandum) is expected to provide twice as much leakage protection as the "industry standard" clay liner and ten to one hundred times more leakage protection than a liner of compacted native sandy soil.

Town engineering staff and the Draft SEIR engineering consultant have carefully reviewed the Ocean View Reservoir data as well as the proposed liner and related geotechnical characteristics. In their professional judgment, the Town reviewers are confident that any leakage from the pond will be minimized with the proposed liner and will not have the performance concerns of the Ocean View Reservoir.

Response to Comment 8-3

To reduce noise from the pumps during their operation, the pumps will be fully enclosed by a concrete, roofed structure (see Impact 3.9-2). The change in noise levels outside the pump station would be less than significant and would not be expected to disturb wildlife or sensitive receptors, including residences.

Response to Comment 8-4

As discussed in Draft SEIR Section 2.4.1, the dam would be primarily constructed using onsite materials excavated from the footprint of the pond. Significant soils testing has already been completed as a part of Project feasibility studies and preliminary design, and the results show that onsite materials should be suitable for use (see Draft SEIR Appendix F, Geology Technology Memorandum). The soils testing and related preliminary design information have been forwarded to the DSOD for their review, and they have found the preliminary design information satisfactory as evidenced by their letter dated August 15, 2008 (see Exhibit 2-1 in Response to Comment 3-17). Additional studies will be performed on the Project site to provide further detailed engineering design criteria (see Response to Comment 5-3), and these studies will also be subject to review and approval by DSOD. Also, all materials used in the construction of the dam must be tested and adhere to standard industry construction specifications for quality and safety, subject to oversight by DSOD.

DSOD is responsible for the supervision of the construction, enlargement, alteration, repair, maintenance, operation and removal of dams and reservoirs for the protection of life and property. Among the major DSOD concerns is suitability of the dam foundation and embankment materials, and stability of the dam embankment, foundation and pond side slopes. DSOD provides comprehensive, independent oversight of dam design, construction and operation as summarized in Draft SEIR p. 2-12.

The town also notes that the soils, geologic and preliminary embankment design work for the Project has been performed by Amec-Geomatrix, Inc., a very highly qualified geotechnical consulting firm with specialized expertise in seismic issues and dam design in California.

Response to Comment 8-5

Impacts to roadways, including wear and tear caused by construction vehicles, were previously analyzed in Master Plan EIR Impact 4.7.4. (See Master Plan EIR Responses to Comments p. 3-6.) Mitigation for this potential impact includes a pre-construction survey of roadways to be used. This mitigation applies to the Project. Any roads damaged by construction would be repaired to a condition equal to, or better than, that which existed prior to construction activity.

Response to Comment 9-1

The location of the pump station was selected based on hydraulic analysis and to minimize construction impacts that would occur with a longer pipeline installation. The pump station must be located below the bottom of the pond (lower in elevation) in order to completely drain the pond. The staging areas are not located below the bottom of the pond levee and therefore would not be a suitable location for the pump station. One other location was considered at a draw northwest of the pond. The alternate location would require a much longer pipeline and greater environmental impacts, so it was not considered for further evaluation. As described in Impact 3.4-1, reasonable efforts will be made to preserve existing trees along Eastside Road that would screen the pump station. The pump station

enclosure will be neutrally toned (see Draft SEIR p. 3-78). With implementation of Mitigation Measure 3.4-1, “Prepare and implement a landscaping plan to replant area around the pump station with native species,” impacts will be less than significant. A simulation of this view with mitigation is presented in Figure 3.4-4 in the Draft SEIR.

Response to Comment 9-2

Comment regarding truck traffic during grape harvest noted. Closures on Eastside Road are for the purposes of pipeline construction, which is anticipated to take place during the summer, as noted in Table 2-1 of the Draft SEIR. It is expected that the road closures and detour routes would be completed before the fall grape harvest season.

Response to Comment 9-3

The preliminary design concept, as evaluated in the Draft SEIR, includes two horizontal terraces across the topsoil “agricultural berm” that is proposed to be placed on the downstream face of the dam. Use and configuration of such an agricultural berm is contingent on the approval of DSOD. The current concept shows one terrace approximately 25 feet wide and the other approximately 40 feet wide; however, the size and location of these terraces could change during final design. As the comment suggests, it may also be possible to vary the width or slope of these terraces, or to include undulations that would make their appearance more varied. As part of final design, it is expected that the design of the agricultural berm and terraces will be refined to incorporate more variation such as those suggested by the commentor, subject to approval of DSOD. Regardless of such aesthetic variations, it is expected that wildlife will be able to use the entire unfenced slope of the berm (approximately 400 feet wide) as a north-south pathway between Eastside Road and the pond, not just the terraces.

Response to Comment 10-1

The Town proposes the temporary closure of Eastside Road only after first having considered other options, such as a one-lane closure. A one-lane closure of Eastside Road during pipeline installation would require one-way traffic controls; that is, the road would be open for a period of time only to drivers going in one direction. Drivers going the other direction could experience significant delays while waiting for the controlled direction to change. In addition, maintaining a lane open would restrict the work area, increasing the amount of time required to install the pipeline, and could present a significant safety hazard to construction workers. Therefore, it was determined that a short-term road closure to maximize efficiency in pipeline construction, and hence reduce associated impacts to wildlife, traffic, noise, etc., would be preferable to a significantly longer one-lane closure on Eastside Road. The road closure will be coordinated with Town of Windsor and County of Sonoma transportation authorities and emergency services. As noted in Response to Comment 9-2, pipeline installation along Eastside Road is not expected to occur during the fall grape harvest seasons. As discussed in Section 3.6 of the Draft SEIR, no significant impacts would occur with implementation of the Project and proposed mitigation measures.

Response to Comment 11-1

Comment noted. Please refer to Response to Comment 3-2.

Response to Comment 12-1

See Response to Comment 3-3.

Response to Comment 12-2

See Responses to Comments 3-4 and 3-5b.

Response to Comment 12-3

See Responses to Comments 3-25 and 3-26. The Town Council may consider the request for further restricted construction hours when it considers the Project; the requested change would not change the analysis or conclusion of the Draft SEIR as to visual impacts. Any consideration of the request should also consider Impact 3.9-1 regarding the potential for occasional extended work hours.

Response to Comment 12-4

See Response to Comment 3-18.

Response to Comment 12-5

See Response to Comment 3-23.

Response to Comment 12-6

A significant accumulation of organic matter is not expected to occur since the proposed pond would be lined and periodically drained, and the nearest vegetation to the edge of the pond will be at least fifteen feet away due to the access road. Therefore, fluctuations in water depth are not expected to result in additional odors.

Response to Comment 13-1

For wildlife corridors, impacts are considered significant if implementation of the Project would interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors (see Draft SEIR p. 3-25). Impact 3.2-8 analyzes the effect of the Project on wildlife habitat linkages, and no significant impacts were identified previously because linkages will be maintained.

Additional detail regarding wildlife corridors is provided in Responses to Comments 3-10 and 6-4 above.

Response to Comment 13-2

The Project would not be classified as a major source of greenhouse gas emissions as it would produce less than 25,000 metric tons per year (see Draft SEIR p. 3-118). Although construction of the pond would result in the loss of 28 acres of oak woodland, which would result in a loss of a carbon sink, mitigation measures for oak woodland would offset the loss (see Draft SEIR p. 3-118). No further mitigation is required because impacts are considered less than significant.

As stated in the Draft SEIR, removed trees would be beneficially reused locally as much as possible. Potential local reuse opportunities identified in the Draft SEIR include a wood cogeneration plant, construction of a shelter in Adobe State Park, use by local woodturners, and use for mulch (p. 2-7).

Response to Comment 13-3

See Response to Comment 3-5a.

Response to Comment 13-4

In regard to pond fencing and visible aesthetics, see Response to Comment 3-5d. Potential impacts to the public view from Eastside Road is described on Draft SEIR p. 3-78. As stated, the dam face may be briefly visible from the roadway; a simulation of this viewpoint is included in Figure 3.4-4. Regarding leakage from Ocean View Reservoir, see Response to Comment 8-2.

Response to Comment 13-5

As the purpose of CEQA is to evaluate potential environmental impacts of a project, the Town has considered the worst-case impacts to all resources, in order to describe the full extent of possible impacts. Because it cannot be known at this stage precisely what the extent of the overall impacts to the existing trees along Eastside Road will be, for the purposes of identifying appropriate mitigation measures, all trees were analyzed as if they would be removed. As stated in the Draft SEIR, efforts will be made to preserve existing trees along Eastside Road that would screen the pump station and, if visible, the dam face (see p. 3-78).

Response to Comment 13-6

The “honeycomb” the commentor describes is referred to in the Draft SEIR as the liner cover – gravel, concrete, or plastic soil cement confined in a geosynthetic grid and is an optional element of the project. See Response to Comment 3-5c.

Revisions to the Draft SEIR

This section contains those portions of the Eastside Road Storage Project Draft SEIR that have been revised based on the comments received during the public review period and/or staff-generated clarifications. Text deleted from the Draft SEIR is shown below in ~~striketrough format~~; text that has been added is shown in underline. These revisions supersede the Draft SEIR dated May 2008 as specified below. The Town has carefully reviewed the revisions and determined that they are not significant new information requiring recirculation under CEQA guidelines Section 15088.5.

Section 2.5.4, North Coast Regional Water Quality Control Board (RWQCB) (p. 2-11), is revised as follows to revise the section title and add two new paragraphs:

2.5.4 State Water Resources Control Board (SWRCB) and North Coast Regional Water Quality Control Board (RWQCB)

The Project will require various authorizations from the RWQCB pursuant to the federal Clean Water Act (CWA) and the state Porter-Cologne Water Quality Control Act. In addition, the Project may require authorizations from the SWRCB Division of Water Rights pursuant to various sections of the California Water Code. The SWRCB Division of Water Rights administers state programs that manage the diversion and storage of water. Under the authority of the SWRCB, the RWQCB administers water quality programs including the issuance of waste discharge requirements.

The purpose of the pond is to store recycled water. Because the Project incidentally would divert and store a portion of the site's natural runoff, a water right permit may be required. If required by law, the Town will apply for a water right permit, which would be reviewed by the SWRCB Division of Water Rights to assure that downstream beneficial uses are protected. Storage of recycled water is authorized under an existing permit from the RWQCB, but changes in the use of treated wastewater may require additional approval from the SWRCB Division of Water Rights in the form of a wastewater change petition.

A Water Quality Certification or Waiver pursuant to Section 401 of the ~~Clean Water Act (CWA)~~ is required for Section 404 permit actions (see discussion below in Subsection 2.5.8 regarding U.S. Army Corps of Engineers [USACE] jurisdiction); this certification or waiver is issued by the applicable Regional Water Quality Control Board – in the case of this Project, the North Coast Regional Water Quality Control Board. Dredge or fill activities that may result in a discharge to “Waters of the State” are also regulated by the RWQCB under its state authority provided by the Porter-Cologne Act in the form of Waste Discharge Requirements or Waiver of Waste Discharge Requirements.

Figure 2-5, Storage Pond Construction Plan (p. 2-23) is revised to correct topographic line elevations.

[The revised figure is shown on the following page.]

Section 3.1.3, Land Use and Recreation (the last paragraph on page 3-3) is revised as follows.

The Project would generate short-term noise, air quality, and traffic related impacts. These impacts would be short-term, and would be reduced to a less-than-significant level through implementation of standard construction measures, as defined in Master Plan EIR Section 3.6, Traffic; 3.7, Air Quality; and 4.9, Noise (ESA, 2000). ~~All impacts identified would be less than significant with mitigation, so conclusions about Land Use and Recreation remain unchanged.~~ Construction noise is updated in Section 3.9 of the Draft SEIR.

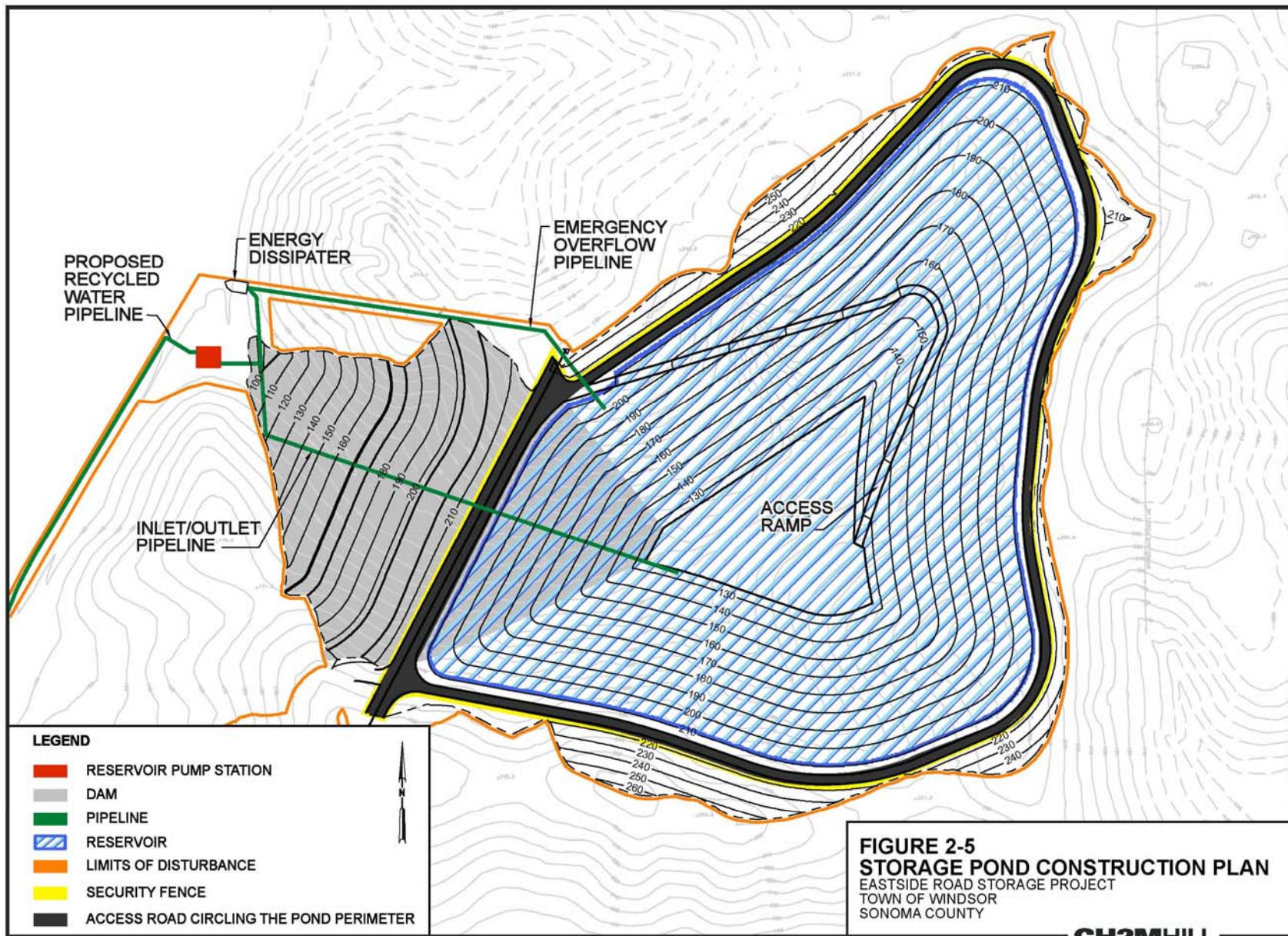
Section 3.2.3, Mitigation Measure 3.2-4 ("Implement projects that offset permanent loss of beneficial uses resulting from fill of intermittent drainages") (p. 3-33): the second bullet is revised as follows to correct a typographical error.

- Where impacts cannot be avoided, they shall be minimized, for example ~~my~~ by minimizing the width of the pump station access road that crosses the Eastside Road drainage.

Section 3.2.3, Mitigation Measure 3.2-4 ("Implement projects that offset permanent loss of beneficial uses resulting from fill of intermittent drainages") (p. 3-33): the second full paragraph is revised as follows in response to public comments.

The mitigation ratio for drainage impacts shall be determined during coordination with resources agencies during the permitting process and will depend upon the type of mitigation planned (preservation, restoration, creation, or combination of mitigation types), project location, and other mitigation variables. The Town will mitigate permanent impacts to drainages (stream areas with existing and potential beneficial uses) in terms of acreage, function, and value at a mitigation ratio of at least 1:1, unless otherwise agreed upon by the RWQCB and other regulatory agencies during the permitting process. To assist in the development of a mitigation ratio and mitigation plan, an HEA shall be prepared in coordination with the resource agencies....

FIGURE 2-5
Storage Pond Construction Plan



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Section 3.2.3, Impact 3.2-6 (“Project construction would result in loss of roosting habitat for special-status bat species and could disturb roosting bats during construction”) (p. 3-36): new sentence added to clarify that Mitigation Measure 3.2-6 replaces the special-status bats portion of Master Plan EIR Mitigation Measure 4.4.3 to reflect the updated impact analysis.

Project construction would result in the loss of approximately 28 acres of mixed oak woodland containing potential roosting habitat for special-status bat species, including the pallid bat and western red bat. Although roosting habitat for special-status bat species would be lost, existing adjacent areas would provide alternative roosting habitat for bats. With implementation of Mitigation Measure 3.2-1d (preservation of mixed oak woodland), some of these alternative habitats would be conserved in perpetuity, providing alternate roosting opportunities. Construction activities could result in impacts to roosting bats. With preservation of mixed oak woodlands and Mitigation Measure 3.2-6, impacts to special-status bat species would be less than significant. Mitigation Measure 3.2-6 replaces that portion of Master Plan EIR Mitigation Measure 4.4.3 addressing special-status bats in accordance with the updated impact analysis.

Section 3.4.3, last paragraph of the first bullet under Impact 3.4-1 (“Observation Point 1 – View from Eastside Road looking eastward toward the proposed Project”) (p. 3-78): sentence inserted to clarify that Mitigation Measure 3.4-1 updates and replaces Master Plan EIR Mitigation Measure 4.10.1b to reflect the updated impact analysis.

Reasonable efforts will be made to preserve the existing trees along Eastside Road that would screen the pump station and, if visible, the dam face. In the event that trees are unable to be preserved, the quality of the view from this segment of Eastside Road would change from high to average as a result of the Project. The character would change from rural to somewhat engineered. Regular roadway users will be highly sensitive to this change in view; for less-frequent travelers, the vegetation gap and presence of the building and fence would be variations in the otherwise rural conditions along this stretch of roadway. With implementation of Mitigation Measure 3.4-1, impacts will be less than significant. Mitigation Measure 3.4-1 replaces Master Plan EIR Mitigation Measure 4.10.1b in accordance with the updated impact analysis. A simulation of this view with mitigation is presented in Figure 3.4-4.

Section 3.7.2, Standards of Significance [for Air Quality], Construction Emission Calculation Methods subsection (p. 3-113), is revised as follows.

Construction Emission Calculation Methods

Construction emissions were calculated for exhaust emissions from construction equipment and fugitive dust emissions from earthmoving activities. Construction exhaust and fugitive dust emissions were estimated using Rimpo and Associates’ URBEMIS 2007 software (version 9.2.4). Emissions were estimated for NO_x, ROG, PM₁₀, and PM_{2.5}. NO_x and ROG are precursors to ozone formation so emissions of these compounds were used to evaluate ozone impacts. Construction activities include tree clearing, excavation, embankment construction, and pond liner installation. Construction emissions were calculated for the maximum daily emissions which would be expected during the excavation phase. During excavation, construction equipment such as a grader, excavator, scraper, and water truck would be used. It was assumed construction activities that generate emissions would occur eight hours per day. A diesel- or

gasoline-powered generator may be used for 13 months out of the 24-month construction schedule. Used only during construction hours, the generator is expected to generate emissions similar to those from a small piece of construction equipment (e.g., truck).

Section 3.7.3, Impact 3.7-2 ("Construction of the Project could cause or contribute to a violation of an air quality standard") (p. 3-114): third paragraph is revised as follows.

Fugitive dust control measures would not address exhaust emissions of NO_x or ROG, which contribute to the formation of the nonattainment pollutant ozone. Construction equipment exhaust emissions (NO_x and ROG) are included in the emissions inventory that is the basis for the regional air quality plans and are not expected to impede attainment or maintenance of the ozone standards in the Bay Area (BAAQMD, 1999). ~~Approximately 13 months of the construction schedule may require use of a diesel or gasoline powered generator. Used only during construction hours, typical emissions are expected to be similar to those from a small piece of construction equipment (e.g., truck).~~ Therefore, short-term air quality impacts from construction equipment exhaust emissions would be less than significant.

Section 3.9.3, Impact 3.9-1 ("Construction of the Project facilities would result in temporary and localized noise impacts") (p. 3-129): second paragraph is revised as follows to clarify that Mitigation Measures 3.9-1a and 3.9-1b update and replace Master Plan EIR Mitigation Measure 4.9.1a to reflect the updated impact analysis, to focus the mitigation more specifically on the project site, and to reflect that no impact equipment (e.g., pile drivers) is proposed for Project construction.

Construction noise would be exempt under the Town of Windsor noise ordinance. Because the properties surrounding the Project site are located within the County jurisdiction, the County's noise standard of 60 dBA (CNEL) was used to evaluate impacts. Without use of additional controls, maximum construction noise at the nearest residence would be approximately 9 to 76 dBA. These noise levels would occur only when construction was occurring near the property line at the closest point to the noise sensitive property. With use of additional controls, construction noise at the nearest residence would be 5 to 10 dBA less. Staging areas, which will generate noise throughout construction, are located well away from any residences. In addition, due the temporary nature of construction, normal construction hours between hours of 7:00 a.m. to 7:00 p.m. Monday through Friday and 8:00 a.m. to 7:00 p.m. on Saturday, and implementation of noise controls (see Mitigation Measure 3.9-1a), noise impacts would be less than significant. Mitigation Measure 3.9-1b is also included to minimize impacts from extended work hours, which may be required occasionally. Mitigation Measures 3.9-1a and 3.9-1b replace Master Plan EIR Mitigation Measure 4.9.1a in accordance with the updated impact analysis.

Section 5.1, No Project Alternative (p. 5-3): final paragraph is revised as follows.

Assuming no development were to occur on the 168-acre parcel, impacts to loss of mixed oak woodland, other biological resources, hydrology, groundwater, visual resources, geology, soils, seismicity, noise, and traffic associated with the proposed Project would not occur with the No Project Alternative.

CHAPTER 4

References

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